University of London

606252

REPORTS

FROM

COMMITTEES:

SEVEN VOLUMES.

—*(3.)*—

CONVENTUAL AND MONASTIC INSTITUTIONS, &c.;
DIPLOMATIC AND CONSULAR SERVICES.

Session
8 *February* —— 10 *August* 1870.

VOL. VII.

1870.

REPORTS FROM COMMITTEES:

1870.

SEVEN VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

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REPORT

FROM THE

SELECT COMMITTEE

ON

CONVENTUAL AND MONASTIC INSTITUTIONS, &c.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1870.

Monday, 2*nd May* 1870.

Ordered, THAT a Select Committee be appointed to inquire into the state of the law respecting Conventual and Monastic Institutions or Societies in Great Britain, and into the terms upon which income, property, and estates, belonging to such Institutions or Societies, or to Members thereof, are respectively received, held, or possessed.

Tuesday, 10*th May* 1870.

Committee nominated of:—

Mr. Villiers.	The O'Conor Don.
Mr. Newdegate.	Mr. Bourke.
Mr. Jessel.	Mr. Sherlock.
Mr. Thomas Chambers.	Mr. John Gilbert Talbot.
Mr. Matthews.	Mr. Pease.
Mr. Howes.	Mr. George Gregory.
Mr. Cogan.	Sir John Ogilvy.
Mr. Pemberton.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the quorum of the Committee.

Ordered, THAT it be an Instruction to the Committee, that they have power to include in their inquiries, Anglican and other Religious Institutions in Great Britain of a Conventual or Monastic character.

Friday, 20*th May* 1870.

Ordered, THAT The *O'Conor Don* be discharged from further attendance on the Committee, and that Mr. *O'Reilly* be added thereto.

Monday, 25*th July* 1870.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the state of the LAW respecting CONVENTUAL and MONASTIC INSTITUTIONS or SOCIETIES in *Great Britain*, and into the Terms upon which Income, Property, and Estates, belonging to such Institutions or Societies, or to Members thereof, are respectively received, held, or possessed; and who were empowered to include in their Inquiries, Anglican and other Religious Institutions in *Great Britain*, of a Conventual or Monastic Character:—— HAVE considered the Matters to them referred, and have agreed to the following REPORT:—

YOUR COMMITTEE have examined several Witnesses, and agreed to report the evidence taken before them, and to recommend that the Committee be re-appointed in the next Session of Parliament.

25 *July* 1870.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 17th May 1870.

MEMBERS PRESENT:

Mr. Newdegate.	Mr. George Gregory.
Mr. Jessel.	Mr. Pease.
Mr. Cogan.	Mr. John Gilbert Talbot.
The O'Conor Don.	Sir John Ogilvy.
Mr. Sherlock.	Mr. Bourke.
Mr. Matthews.	Mr. Howes.
Mr. Villiers.	Mr. Pemberton.

Mr. VILLIERS was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at One o'clock.

Tuesday, 24th May 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Jessel.	Mr. Pease.
Sir John Ogilvy.	Mr. Bourke.
Mr. Cogan.	Mr. George Gregory.
Mr. Matthews.	Mr. Howes.
Mr. Sherlock.	Mr. O'Reilly.
Mr. Newdegate.	Mr. J. G. Talbot.
Mr. Pemberton.	

Mr. *Peter Erle,* Mr. *Henry Morgan Vane,* and Mr. *William H. G. Bagshawe,* were severally examined.

[Adjourned till Friday next, at One o'clock.

Friday, 27th May 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Jessel.	Mr. Pease.
Mr. Matthews.	Mr. Newdegate.
Mr. Cogan.	Sir John Ogilvy.
Mr. Sherlock.	Mr. Howes.
Mr. O'Reilly.	Mr. J. G. Talbot.
Mr. Bourke.	Mr. George Gregory.

Mr. *John Matthews Arnold,* examined.

Mr. *W. H. G. Bagshawe,* further examined.

[Adjourned till Tuesday next, at One o'clock.

Tuesday, 31*st May* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. J. G. Talbot.
Mr. O'Reilly.	Mr. Pease.
Mr. Cogan.	Mr. George Gregory.
Mr. Matthews.	Mr. Newdegate.
Mr. Bourke.	Mr. Jessel.
Mr. Pemberton.	

Mr. *James Vincent Harting* and Mr. *Alfred Kingston* were severally examined.

[Adjourned till Friday, 17th June, at One o'clock.

Friday, 17*th June* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Newdegate.	Mr. J. G. Talbot.
Mr. Matthews.	Mr. Cogan.
Mr. O'Reilly.	Mr. Sherlock.
Mr. Pease.	Mr. Pemberton.
Mr. Bourke.	Mr. George Gregory.
Mr. Jessel.	Sir. John Ogilvy.

Mr. *James Cuddon*, examined.

The Committee deliberated.

[Adjourned till Tuesday next, at One o'clock.

Tuesday, 21*st June* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. Cogan.
Mr. Newdegate.	Mr. Pemberton.
Mr. Jessel.	Mr. Matthews.
Mr. Sherlock.	Mr. O'Reilly.
Mr. Bourke.	Mr. George Gregory.
Mr. Pease.	Mr. J. G. Talbot.

Mr. *James Cuddon*, further examined.

Mr. *James Dewar* and Mr. *J. M. Robertson* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 24th June 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Sherlock.	Mr. Bourke.
Sir John Ogilvy.	Mr. O'Reilly.
Mr. Newdegate.	Mr. Pease.
Mr. Jessel.	Mr. Cogan.
Mr. Matthews.	Mr. George Gregory.

Mr. *James Dewar* and *J. M. Robertson* were severally further examined.

Mr. *Alfred Smee*, examined.

The Committee deliberated.

[Adjourned till Tuesday next, at One o'clock.

Tuesday, 28th June 1870.

MEMBERS PRESENT:

Mr. O'Reilly.	Mr. Bourke.
Mr. Sherlock.	Mr. Pemberton.
Mr. Matthews.	Mr. George Gregory.
Mr. Cogan.	Mr. John Talbot.
Sir John Ogilvy.	Mr. Jessel.
Mr. Newdegate.	

In the absence of the Chairman, Mr. Bourke was called to the Chair.

The Committee deliberated.

Motion made, and Question proposed, "That no evidence be taken as to the property of any community, or the members thereof, until sufficient evidence has been given to prove that they are members of a conventual or monastic institution or society, or of a religious institution of a conventual or monastic character"—(Mr. *O'Reilly*).—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the examination with respect to the Oratorians be pursued, as it has been conducted with respect to the other institutions or societies as to which the Committee has received evidence"—(Mr. *Newdegate*),—instead thereof.—Question, That the words proposed to be left out stand part of the Question—put, and *agreed to*.—Main Question put, and *agreed to*.

Resolved, "That no evidence be taken as to the property of any community, or the members thereof, until sufficient evidence has been given to prove that they are members of a conventual or monastic institution or society, or of a religious institution of a conventual or monastic character."

Mr. *Alfred Smee*, examined.

[Adjourned till Monday next, at One o'clock.

Monday, 4th July 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Jessel.	Mr. J. G. Talbot.
Mr. O'Reilly.	Mr. Pease.
Mr. Bourke.	Mr. Cogan.
Mr. Sherlock.	Mr. Pemberton.
Mr. Newdegate.	Mr. Matthews.
Sir John Ogilvy.	Mr. George Gregory.
Mr. Thomas Chambers.	

The Lord *Clifford of Chudleigh* (attending by permission of the House of Lords), Rev. *William Gordon*, Rev. *James Harwood Harrison*, and Mr. *J. M'Dermott*, were severally examined.

The Committee deliberated.

[Adjourned till Friday next, at One o'clock.

Friday, 8th July 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. Pease.	Mr. O'Reilly.
Mr. Sherlock.	Mr. Matthews.
Mr. Newdegate.	Mr. Bourke.
Mr. Cogan.	Mr. George Gregory.
Mr. Pemberton.	Mr. J. G. Talbot.

Mr. *Robert Ross* was called in as a witness.—The Committee deliberated.

Motion made, and Question put,—"That the Committee are of opinion that the evidence already given is sufficient to show that the Oratorians are members of a religious institution of a conventual or monastic character, in Great Britain, and that no further evidence on that point be heard"—(Mr. *Pemberton*).—The Committee divided:—

Ayes, 5.	Noes, 5.
Mr. Newdegate.	Mr. Matthews.
Mr. Pemberton.	Mr. Cogan.
Mr. Bourke.	Mr. O'Reilly.
Mr. J. G. Talbot.	Mr. Sherlock.
Mr. George Gregory.	Mr. Pease.

Whereupon The *Chairman* declared himself with the Ayes.

Mr. *Robert Ross*, called in and examined.

Mr. *William Johnson*, Mr. *Joseph Bishop*, and Mr. *Benjamin K. Fisher*, were severally examined.

The Committee deliberated.

[Adjourned till Monday next, at One o'clock.

Monday, 11*th July* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. Pease.
Mr. Sherlock.	Mr. Pemberton.
Mr. O'Reilly.	Mr. Bourke.
Mr. Matthews.	Mr. Newdegate.
Mr. J. G. Talbot.	Mr. Jessel.

Mr. *John Robson*, Mr. *Joseph Cull*, and Rev. *W. A. Johnson*, were severally examined.

Mr. *Robert Ross*, further examined.

The Committee deliberated.

[Adjourned till Thursday next, at One o'clock.

Thursday, 14*th July* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. Pemberton.
Mr. Sherlock.	Mr. George Gregory.
Mr. O'Reilly.	Mr. Matthews.
Mr. Newdegate.	Mr. Jessel.
Mr. Bourke.	Mr. Pease.

Mr. *Alfred Smee*, further examined.

The Committee deliberated.

Motion made, and Question put, "That the paper termed 'script,' connected with the trial of Smee *v.* Knox and others, produced by Mr. Smee in his evidence, and upon which he was examined, be received by this Committee"—(Mr. *Newdegate*).—The Committee divided:

Aye, 1.	Noes, 7.
Mr. Newdegate.	Mr. Matthews.
	Mr. Pemberton.
	Mr. O'Reilly.
	Mr. Bourke.
	Mr. Sherlock.
	Mr. George Gregory.
	Sir John Ogilvy.

The Committee deliberated.

Mr. *John Annand*, examined.

The Committee deliberated.

Mr. *John Annand*, further examined.

The Committee deliberated.

Motion made and Question put, "That the question and answer as to the presumption of the witness that certain property bequeathed by a Captain Mitchell had been applied to the institution on Kinnoul Hill, Perth, be struck out of the evidence."—The Committee divided:

Ayes, 4.	Noes, 4.
Mr. Jessel.	Mr. Newdegate.
Mr. Matthews.	Mr. Pemberton.
Mr. O'Reilly.	Mr. George Gregory.
Mr. Sherlock.	Sir John Ogilvy.

Whereupon the *Chairman* declared himself with the Ayes.

Mr. *John Annand*, further examined.

The Committee deliberated.

On

On the Question being asked, "In your belief, was not this property of Captain Mitchell's in part applied to the erection of the monastic institution upon Kinnoul Hill?"—Motion made, and Question put, "That this question be struck out of the evidence"—(Mr. *Matthews*).—The Committee divided:

Ayes, 5.	Noe, 1.
Mr. Jessel.	Mr. Newdegate.
Mr. Matthews.	
Mr. O'Reilly.	
Mr. Sherlock.	
Sir John Ogilvy.	

Motion made, and Question put, "That this witness be not further examined"—(Mr. *Jessel*)—The Committee divided:

Ayes, 6.	Noe, 1.
Mr. Jessel.	Mr. Newdegate.
Mr. Matthews.	
Mr. Pemberton.	
Mr. O'Reilly.	
Mr. Sherlock.	
Sir John Ogilvy.	

Mr. *John M. Robertson* and Mr. *Robert Ross* were severally further examined.

[Adjourned till Monday next, at One o'clock.

Monday, 18*th July* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Mr. O'Reilly.	Mr. Matthews.
Sir John Ogilvy.	Mr. Pemberton.
Mr. Sherlock.	Mr. Pease.
Mr. Newdegate.	

Mr. *James Adams*, examined.

The Committee deliberated.

Mr. *W. G. Farmer*, examined.

The Committee deliberated.

Motion made, and Question proposed, "That it having been proved, and being admitted, that property real and personal is held by individuals for the benefit of Conventual or Monastic Institutions, or for members thereof, although such beneficial interest cannot be enforced in any court of law or equity, this Committee do not require further evidence on the question of the tenure of such property"—(Mr. *Pemberton*).—Amendment proposed, to leave out from the word "That" to the end of the Question in order to add the words "the consideration of this Question be postponed until the next meeting of the Committee"—(Mr. *Newdegate*).—Question put, That the words proposed to be left out stand part of the Question.—The Committee divided:

Ayes, 6.	Noe, 1.
Mr. Matthews.	Mr. Newdegate.
Mr. Pemberton.	
Mr. O'Reilly.	
Mr. Sherlock.	
Mr. Pease.	
Sir John Ogilvy.	

Main Question put, and *agreed to*.

Resolved, "That it having been proved, and being admitted, that property real and personal is held by individuals for the benefit of Conventual or Monastic Institutions, or for the members thereof, although such beneficial interest cannot be enforced in any court of law or equity, this Committee do not require further evidence on the question of the tenure of such property."

[Adjourned till Thursday next, at One o'clock.

Thursday, 21*st July* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. Sherlock.
Mr. O'Reilly.	Mr. J. G. Talbot.
Mr. Pemberton.	Mr. Bourke.
Mr. Newdegate.	Mr. George Gregory.

The following Petitions, referred by the House to the Committee, were read by the Committee Clerk.

A Petition of the Protestant People of Perth, assembled in Christian Convocation.

A Petition of the Glasgow Protestant Laymen's Association.

Mr. *William Ford* and Mr. *Alfred Hobhouse* were severally examined.

Monday, 25*th July* 1870.

MEMBERS PRESENT:

Mr. VILLIERS, in the Chair.

Sir John Ogilvy.	Mr. Newdegate.
Mr. O'Reilly.	Mr. Thomas Chambers.
Mr. Sherlock.	

Mr. *Freeman*, Mr. *Foster*, and Mr. *Francis Lyne*, were severally examined.

The Committee deliberated.

Motion made, and Question proposed, "That the Rev. Wm. T. Nicholls, Holy Cross Priory, Leicester, be now called as a witness before this Committee"—(Mr. *Newdegate*).—Amendment proposed to leave out from the word "That" to the end of the question, in order to add the words "this Committee will not take any further evidence this Session" (Sir *John Ogilvy*)—instead thereof.—Question put, That the words proposed to be left out stand part of the Question.—The Committee divided:

Ayes, 2.	Noes, 3.
Mr. Newdegate.	Mr. O'Reilly.
Mr. Thomas Chambers.	Mr. Sherloch.
	Sir John Ogilvy.

Words added.—Main Question, as amended, put, and *agreed to*.—*Resolved*, "That this Committee will not take any further evidence this Session."

DRAFT REPORT proposed by the *Chairman*, read the first time, as follows:

YOUR COMMITTEE have examined several Witnesses, and have agreed to report the evidence taken before them, and to recommend that the Committee be re-appointed in the next Session of Parliament.

Read a second time.—Amendment proposed to leave out from the word "them" to the end of the said Draft Report—(Mr. *Newdegate*).—Question put, That the words proposed to be left out stand part of the said Draft Report.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. O'Reilly.	Mr. Newdegate.
Mr. Sherlock.	Mr. Thomas Chambers.
Mr. Gregory.	
Sir John Ogilvy.	

Draft Report *agreed to*.

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Dewar, James*	Assessor of Valuations	Perth	7	4 4 –	7 7 –	11 11 –
Robertson, J. M.	Writer	Glasgow	6	6 5 –	12 12 –	18 17 –
Ditto†	ditto	ditto	2	– –	4 4 – (additional)	4 4 –
Johnson, William	Agriculturist	Stretton, near Rugby.	2	1 11 –	2 2 –	3 13 –
Bishop, Joseph	Land Agent	Atherstone	2	1 17 –	2 2 –	3 19 –
Fisher, Benjamin Holden	Teacher of Mathematics	Rugby	2	1 8 –	2 2 –	3 10 –
Annand, John	Clerk	Edinburgh	3	6 2 –	3 3 –	9 5 –
Farmer, W. G.	Tanner	Hinckley	2	2 – –	2 2 –	4 2 –
Foster, Edwin	Builder	Abergavenny	3	2 2 –	3 3 –	5 5 –
Lyne, Francis	None	Hereford	3	2 15 –	3 3 –	5 18 –
					£.	70 4 –

* This witness was in London when served with a summons, but was detained from home by order of the Committee.

† This witness was subsequently detained two days in London by order of the Committee.

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MINUTES OF EVIDENCE.

Tuesday, 24th May 1870.

MEMBERS PRESENT:

Mr. Bourke.	Sir John Ogilvy.
Mr. Cogan.	Mr. O'Reilly.
Mr. George Gregory.	Mr. Pease.
Mr. Howes.	Mr. Pemberton.
Mr. Jessel.	Mr. Sherlock.
Mr. Matthews.	Mr. John Gilbert Talbot.
Mr. Newdegate.	Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. PETER ERLE, was called in; and Examined.

Mr. *P. Erle.*

24 May 1870.

1. *Chairman.*] ARE you the Chief Commissioner of the Charity Commission?—I am.

2. And you have been so from the time of its establishment?—I have.

3. Could you shortly explain to the Committee what are precisely the duties of the Commissioners with respect to charities?—It is a large question; we collect information respecting them; we receive their accounts, which are important means of that information; we have now the power of appointing trustees, and establishing schemes for the management of charities, and we control the administration of their estates; we can empower the trustees to improve them to sell, to lease, and to make securities. We exercise a very general supervision over charities.

4. You derive your power from an Act of Parliament?—From several Acts of Parliament.

5. Was not the first Act which constituted your board passed in the year 1853?—Yes, in 1853.

6. By referring to the Act, I suppose we can see the exact extent and nature of your duties, and of your jurisdiction?—That Act founded our duties and powers, but they have been considerably enlarged by later Acts, particularly by an Act of 1860, more than any other Act. The Act of 1853 and the Act of 1860 give us our principal powers.

7. But do we understand that under the Act of 1853 you have power to inquire into every charity, or every endowment for charitable purposes in this country?—Yes, the Act of 1853 empowered us to do so, speaking generally; there are many special exemptions.

8. Was not the purpose to inquire into the state and condition and nature of those charities?—As far as relates to their endowments.

9. Then there were certain exemptions with respect to persons professing peculiar religions?—The charities only of the Roman Catholics were temporarily exempted.

10. Were they distinctly exempted in that Act?—Yes, they were exempted until 1860.

11. Practically, it was not intended to exempt them for more than two or three years?—No; but there was a succession of Acts continuing the exemption, until it finally ceased in 1860.

12. But with respect to all other charitable uses, that is to say, uses connected with other religious persuasions, have you complete jurisdiction under the Act of 1853?—That is so.

13. Have you the power of initiating an inquiry whenever you hear of a charity, or is there an obligation imposed upon the trustees of charities to communicate with the board?—We can initiate inquiries if we obtain even accidental information. The trustees are not required to communicate with the board.

14. Did you take any means of acquiring information with respect to the charities throughout the country?—Not universally. We have a very small staff of inspectors, who cannot pervade the country. We acquire a very extended knowledge of charities, but cannot ascertain its absolute completeness from a variety of sources.

15. Notice, perhaps, is given by the charities to the board of their existence, with a readiness expressed to submit to their jurisdiction?—It may be either by the administrators or

Mr. *P. Erle.*
24 May 1870.

by persons who are dissatisfied with the administration of the charities. Any members of the public, and especially any persons who are dissatisfied with the administration of endowments, can give us notice.

16. Before your inquiry into the proper administration of those charities, in a large proportion of cases you receive notices of their existence, which originate with themselves?—Our principal source of information as to the existence of charities is derived from the reports made under Lord Brougham's Commissions, contained in upwards of 30 folio volumes.

17. Has that taken place since 1853?—Those reports are the principal source of our knowledge of endowments to their date. The last was made in 1837.

18. That is to say, you derive your knowledge from some evidence that has been recorded before-hand?—Yes, to a considerable extent.

19. But your information, since you have been constituted, has been virtually derived from notice sent to you by the trustees, or from the reports made by your own inspectors?—We constantly extend our knowledge by these means, but one principal source of our information, which would be most effectual, if we could make it complete, is the return which the administrators of all charities are bound to render to us annually of their receipts and administration of the income of the endowments.

20. Is there any obligation on the part of persons administering trusts to communicate with the board?—There is the obligation to which I have just referred, but it is extremely difficult to enforce it generally; we never have obtained any complete return of the accounts of all endowed charities; if we get the accounts of 18,000 or 20,000 charities in a year, we consider that a fair number.

21. You are speaking of the operation of the Act during the exemption of Catholics?—I speak of the operation of the Act generally.

22. Do you observe that there is any sort of reluctance or unwillingness on the part of Protestant charities to be placed in communication with the board?—I think, certainly not, except that many trustees object to make due returns of their accounts, and this obligation can be enforced only by the intervention of the Court of Chancery.

23. But those are in cases where there is no exemption?—Yes; there being no exemption.

24. And the operation of the Act, as regards Protestant charities, was, that they felt themselves obliged to render account of their charities to the board?—That duty is imposed upon them by the law.

25. Is there any clear and definite recognition of what is a charity by the board?—We are obliged to consider that question constantly; but it seldom presents difficulty.

26. But does your jurisdiction consider the destination of a fund; that is to say, if a man left endowment to be devoted to a religious purpose, should you consider that to be a charitable purpose?—Yes.

27. And coming within your jurisdiction?—Yes, clearly; we deal with many endowments for different religious denominations.

28. You do not include in the definition of charity all religious purposes; that is to say, you do not consider that wherever there is a religious purpose it is necessarily a charitable purpose?—Yes, if there is an endowment applicable by trustees. An endowment for a minister of the Established Church in aid of his income, if it is vested in trustees, is technically a charity; and we deal with many endowments for the ministers of different Dissenting communities as charities.

29. Mr. *Pemberton.*] They are charities within your jurisdiction?—Yes, entirely so; endowments for the maintenance of churches and similar objects are clearly charities.

30. *Chairman.*] With reference, however, to the state of the law respecting conventual and monastic institutions, had the Catholics not been exempted from this Act, you would have inquired into any endowments that were applied to the support of those institutions?—We should have had power to do so. There is a much greater number of charities than we can keep up with, if I may so express myself; and therefore our action is very much confined to those which are the subjects of some application to us. I think that the application of no Roman Catholic charities has been brought before us as matter of dissatisfaction existing in any quarter.

31. Roman Catholic institutions being exempt, you never initiated any inquiry with respect to them; but you spoke of another Act, the Act of 1860, which purported to afford relief to Roman Catholic charities, or at least to persons interested in them; have you since that made them the subject of inquiry?—Not at all generally; we have the most imperfect information as to any Roman Catholic endowments.

32. Have they not volunteered to communicate with the board for the purpose of accounts being taken?—I think, none. The managers of a few have come to us for special purposes. They have wished to avail themselves of our powers to facilitate alienations of their property, and like purposes, but not for general objects; only a very small number have applied to us for any purpose.

33. Could you have acted unless any endowments affecting their institutions had been enrolled?—Yes.

34. You require enrolment, do not you, before you act?—Under the general law, charitable endowments consisting of realty in England, if made after the ninth year of George II., must be enrolled in Chancery. We have no discretionary powers with reference to that Act; it is part of the general law of the land, and affects settlements of real estate only.

35. But what was the particular relief that was given to Catholics under the Act of 1860, if it had no reference to enrolment?—It gave them this relief, with specific reference to enrolment. It may be said that no Catholic charities had been enrolled. Almost all Catholic endowments, while the penal laws were in force, were clandestine, and necessarily so. There were hardly any declarations of the actual trusts, but grants of land were made, and the intended trusts being secret were not declared by any deed which could be enrolled for giving them validity. When the Act of 1860 passed, facility was then given to the administrators of Roman Catholic charities

harities to enrol them with the same effect as f they had been enrolled at the time of their reation, so as to give them the same validity. I think there were about 400 enrolments made n a short time, but the instruments so enrolled vere generally very imperfect.

36. After the passing of that Act Roman Catholics availed themselves of that provision, and enrolled their deeds to the number of 400? —Yes. I am not accurate as to the number, but those enrolments scarcely gave any information. The deeds contained grants of land, but no declarations of the trusts, and afforded no means of ascertaining who were the trustees, or even what were the purposes of the grants; they were enrolled as grants for charitable purposes, but those purposes were not declared.

37. What could have been the purpose of enrolment?—I do not perceive that it was effectual for any purpose. The Act of Geo. 2 avoided all settlements to charitable purposes of land unless enrolled, and the enrolment of only grants of land, without any declaration of the trusts, was imperfect; it did not show the settlement for any charitable purposes.

38. Do you read the Act as limiting the time after which enrolment was precluded, or is there always power now to cure defects by enrolment? — There was a period of 12 months; the special provision of that Act which applied to Roman Catholic charities was confined to one year. There have been subsequent Acts as to all charities. Lord Cranworth introduced several Acts extending the time for enrolment of charities generally; and ultimately it was enacted that enrolments may be made after any time on application to the Court of Chancery for special permission.

39. It is either one way or the other; either the time expires for enrolment, or by successive Acts the power of enrolment has been continued; can you tell the Committee how that is? — I am not quite sure at this moment as to Roman Catholic charities, but I think there would be power under Lord Cranworth's last Act of applying to the Court of Chancery for leave to enrol a deed of any date.

40. Have any enrolments taken place under Lord Cranworth's Act?—I do not know as to Catholic charities.

41. Has any search been made lately?—Not from our office; the Enrolment Office is a very difficult office to search; I do not think there has been any great number of enrolments of charities.

42. Has there been any enrolment of other charities not Roman Catholic?—Yes; I know that there have been some.

43. It is not the Act of 1861, is it, that you refer to?—No; it is a more recent Act, the 29 & 30 Vict.

44. I conclude, from what you have stated, that you have no means of knowing the number of endowments, affecting Roman Catholic charities, existing in the country, or that have been created since the Act of 1853?—No, we are entirely without any material information respecting them.

45. Are you under no obligation to seek that information?—We are under no obligation, except that it is part of our duty to occupy ourselves always fully on the duties in our office; and our attention is very much confined to cases in which representations are made to us, but scarcely any Roman Catholic charities have been brought before us. In the result we have little or no knowledge of them.

46. There has been no communication made to you on the part of Catholics, complaining of the administration of any charity?—Scarcely any. There was one case in Northumberland, in which some complaint was made, but the facts were obscure. In another case there was a dispute as to who should be the depository of funds, but no complaint of their application.

47. You have no reason to suppose that there is any general mal-administration of Catholic charities?—No; I think that the trusts of those charities are very imperfectly defined; but we have no knowledge that they are contravened.

48. I think you say that you are not informed with respect to them, and you know nothing about them?—No, very little indeed.

49. There has been no application to the Court of Chancery on the part of any Roman Catholic charities of late years, has there?—In 1851 or 1852 there was a very material application to the Court of Chancery; there was a material litigation in the case of West *v.* Shuttleworth.

50. Since then there has been no judgment or decision given in any case that has declared or decided the law upon the matter?—No, I do not know that there has been any new material question decided.

51. Mr. *Jessel.*] There has been the case of Heath *v.* Chapman since?—Yes.

52. *Chairman.*] But it is not within your knowledge that there is any particular reason why Roman Catholics do not declare their trusts as openly as other persuasions, or do not take the benefit of the provision that is made under the law for all charities at present?—I know no present reason for any general concealment of their endowments.

53. Do you consider that the decision which you have referred to, of Lord Cottenham in West *v.* Shuttleworth, would deter any trustees of Roman Catholic charities from disclosing the purpose for which they were given?—It would deter any trustees of charities subject to trusts similar to those which were in question in the case of West *v.* Shuttleworth, from disclosing them. The material point, if I recollect rightly, which was decided in West *v.* Shuttleworth was, that notwithstanding that Roman Catholic charities were placed, by the Act of Parliament passed shortly before, on the same footing with charities for the benefit of Dissenting Protestant congregations, yet some of the observances of the Roman Catholic religion were still to be held superstitious and void, and those trusts pervade very numerous Roman Catholic charities.

54. Are they driven to that by the state of the law; are they obliged either to evade the law, or not, to disclose the trust?—Yes, in 1860 there was an attempt to remove this difficulty, and the provision which was made then was, that the trusts which the law would consider superstitious might be separated from the other trusts, and that the endowments being apportioned, the part

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dedicated by the founder to superstitious use, might be devoted to other charitable purposes.

55. Is that provided for in that Act?—Yes, that is provided for, but still the application of the Act would disturb many Roman Catholic trusts.

56. There was a Report made in 1852, I think, by a Committee of this House, which inquired into the state of the law affecting charitable bequests, and it was recommended that a donation or bequest should not be made void on account of the purpose for which it was applied, so far as that was regarded as superstitious; but that has not been provided for by law, and the law still exists, does it not, that if a bequest is made for a superstitious use, such as prayers for the dead, it renders that bequest void?—That was the decision in the Court of Chancery, but there has been a decision of the Ecclesiastical Court, made by Sir Herbert Jenner Fust, that saying prayers for the dead is not superstitious. He considered the practice to be not necessarily connected with the doctrine of purgatory, and to be a legal object, and that was decided after West *v.* Shuttleworth.

57. May I ask whether the Charity Commissioners take notice of the purpose of a bequest?—Yes, certainly.

58. What notice would you take, supposing a Catholic charity came under your attention, and it seemed to be for what has been decided in the courts to be superstitious?—Our duty would be to require that the charity should be apportioned, and the part dedicated to the superstitious use separated from the other, and applied to some new Roman Catholic purpose.

59. If it was exclusively for superstitious use, such as only to pray for the dead, you would have no jurisdiction?—No; we should have no jurisdiction if it were exclusively for that purpose.

60. You would consider it void, would you?—It appears to myself a very difficult question; but I have referred to the legal decisions.

61. Are there any special laws affecting monastic and conventual institutions, that you are cognisant of, other than those you have mentioned?—No; I do not know of any general application. At the end of the Act of the 10th of Geo. 4, the principal Catholic Relief Act, there are some clauses which still apply to the members of monastic orders in communion with Rome. Their continuance in the country is declared to be illegal, and a monastery for the habitation of persons belonging to those orders would be illegal.

62. If any charity was given for that purpose, you would notice it as being illegal, and would not act?—We should not act; we meet with most numerous gifts for maintaining tombstones and graves, which are now decided to be no objects of legal charitable gift, and we do not deal with them.

63. You have jurisdiction over all charities left for the maintenance or advancement of the Established Church, have you not?—Yes; supposing they are not vested corporately in the incumbents.

64. But would a bequest to the clergyman or the minister of a particular parish, being for the support of the minister, be a charity?—If given through trustees it would be a charity.

65. And you would then take account of it, would you?—We should do so if necessary; but there are a great many charities in a technical sense only, with which it is not expedient that we should interfere except for the convenience of the parties.

66. Have you any suggestion to make for the amendment of the law, so far as it affects trusts for monastic and conventual institutions?—I know so little about them that I cannot do so. I am not sure whether they are charities.

67. Mr. *Jessel.*] Assuming that conventual institutions are not illegal, that is to say, institutions for the reception of females, on what ground would you say that they were charities?—It is rather difficult to answer. An association of religious persons together to provide themselves with a building in which to seclude themselves from the world, has nothing charitable about it. Then, supposing that the building is given to them, I do not think myself that that would convert it into a charitable institution. I ventured to suggest the question, comparing them in my mind for this purpose to very different institutions, having no religious character, such as associations for general purposes, which may have a similar permanence, and may alike have buildings or possessions for their convenience, but have no charitable object, or public object.

68. Assuming, of course, that there is no corporation, but simply persons associated, what is the distinction, in your opinion, between a convent and a club, in a legal point of view?—Such an institution as a club was passing in my mind. If the religious persons provide their own residence, and their own means of subsistence, of course there is no distinction at all. But the difficulty arises as you go further. If the building is given to them permanently for affording to them any necessary aid and protection, it may become charitable.

69. On what ground could they become charitable by reason of a gift; supposing a man gave a club-house to a London club, it would not make it a charity?—Not at all, I should think.

70. Then why should a gift to a convent make the convent a charity?—It would be only on some other eleemosynary ground, as for affording some protection or benefit.

71. Then if there was no eleemosynary ground as regards the persons who received it, if they were not poor persons, or persons receiving maintenance, you see no reason why they should be a charity?—It is possible that they may have other than pecuniary necessities provided for them, but I am not prepared to give a definite opinion on this question without knowing the whole circumstances.

72. Mr. *Newdegate.*] I think you must be aware that there is a wide distinction between your position as Commissioner under the Act of 1853 and the Act of 1860; the Act of 1853 relates to charity property of all denominations, except Roman Catholic; is it not the case that under the Act of 1853 you have become official trustee of any charity that you deal with, or you have become virtually an official trustee?—No; the property of particular charities may be vested in officers

officers of our Department as official trustees, but we have not that character.

73. I do not mean that, but I mean that your power of action and position is that of an official trustee, is it not?—I am not aware whether you mean to the extent of administering property.

74. Yes; you are commissioned as a public trustee, are you not?—No; we have no power to administer or to apply any property whatever of charities; we have only a control over other administrators.

75. Your position is, that you are superior to the other trustees, who have to consult you as to the future administration of the charity?—They may apply to us, if they think proper; they may propose to us any question which they find necessary for their guidance in the administration of their trust, and we afford them indemnity by our advice.

76. That is to say, you are to a certain extent created official trustee in every case with which you deal?—I must understand the language of these quesitons in some different sense from that which the honourable Member uses it. I understand that the trustee of a charity is the person who administers the charity, who has the custody of its endowment, and who applies its income. We have not the custody of its endowment, or any share in the administration of its income.

77. But you have the power to ascertain all the purposes, and to direct the application of the property?—We have this power; we have the power of questioning the trustees, and ascertaining the mode in which the charity is applied; and if we point out to them that their application of that charity is not warranted by law, or by their trust, and it is not corrected, we have the power then of certifying their conduct, in order to its being brought before the Court of Chancery; we have not even the power of rectifying it ourselves.

78. But through the Court of Chancery you rectify it?—We can certify the case to the Attorney General; that would be our course of proceeding. If we find a breach of trust proceeding, we can certify to the Attorney General that there is an irregularity in the administration of such a charity, and that, if he thinks fit, he should apply to the Court of Chancery to have it rectified; that is our course of proceeding.

79. And any trustee of any of those charities may do the like, may he not?—Yes; he may apply to the Attorney General, but the Attorney General, I think, would not act upon his application.

80. But he would act upon yours?—Yes, he would probably act upon ours.

81. Under the Act of 1860 you have had but very few enrolments; I think you stated about 400?—I think that was about the number; they are made in the Court of Chancery, not in our office.

82. But you are parties to that enrolment, are you not?—Not in the least; we have no concern with the enrolment at all.

83. In one of your Reports, that of 1862, you enumerate, do you not, a certain number of cases of Roman Catholic trust properties which have been dealt with by enrolment?—I do not recollect it.

84. I only refer to the fact that in your Report, I think it is of 1862, you advert to the operation of the Act of 1860?—It is very likely we stated the number of enrolments, but that is merely what I have stated just now; we could not have stated more.

85. Are you cognisant of the provisions of the Act of 1860?—Yes.

86. It is an enabling Act, is it not?—It is an enabling Act, so far as relates to exceptional enrolments, and it gives power to the Court of Chancery, and to our board, to apportion some Roman Catholic endowments, and it affords a new source of evidence of Catholic trusts; I think those are the material things.

87. Those are the purposes of the Act?—Those are the material provisions of the Act.

88. And under that Act, supposing there were any Roman Catholic trustees for a property, part of which had been devoted to purposes inconsistent with what is called the Superstitious Uses Act and the Mortmain Act, they might come to you and apply for your assistance to purge the trust of any illegality, and to apply the property to Roman Catholic uses not inconsistent with those Statutes?—Yes; that is the first provision of the Act, I think, so far as relates to trusts for superstitious purposes.

89. Very little use has been made by Roman Catholic trustees of that Act, as I understand?—I do not think any use, because no application has been made to us, and any application made to the Court of Chancery would require to be sanctioned by us, and we have not been applied to for that sanction.

90. So that you have had no property that you know to be belonging to convents brought within your cognisance?—I may say almost none. There was a case of a convent at St. Leonards brought before us for some minor purpose for obtaining some power of alienating property, which the managers had otherwise had no legal power of doing, and we use such opportunities of ascertaining the endowments and their application.

91. But your powers with respect to charitable property of other denominations, under the Act of 1853, are greater than under the Act of 1860, are they not?—No, the particular Act of 1860, which has been the subject of the preceding questions, withdrew the exemption of Roman Catholic charities from the provisions of 1853.

92. But it prescribes, does it not, provisions which are not applicable to other charities?—Yes.

93. And those are enabling provisions, not compulsory?—They are not compulsory; Roman Catholics are not bound to use them.

94. When you said that you doubted whether a convent was a charity as regards its property, are you aware of the conditions upon which conventual property is held?—No, we have no means of knowing.

95. Then it was only a speculative opinion?—I only suggested the question as one of difficulty.

96. Supposing a convent to be an association of persons living together, but that to them has been devised or given property, would not that be either a charity in the sense of the word used in appointing your commission on a corporation?

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tion?—It would be a charity, supposing the association of those persons to be for a charitable object.

97. Otherwise it would be in the nature of a corporation, would it not?—No, they are not incorporated; and a gift to a monastery by that name could not have that effect. A gift to it would be made through trustees.

98. But if given to trustees, would not it come within the definition of a charity?—That depends on the objects of the association. It is the question which we had before.

99. You have not information enough to decide that point?—It is a question that depends upon facts. If any condition of facts be given, and our opinion upon it were required, we might answer that; but we do not know the condition.

100. Supposing there is a school, and property is left to that school, although the trust may have other objects than the school, still the property being left for a school constitutes it a charity property, does it not?—Certainly, to that extent. Probably very many conventual trusts have trusts for education annexed to them.

101. Mr. *Talbot.*] Can you tell me what you understand by a charitable purpose?—There is a very long enumeration of charitable objects in a statute of Elizabeth.

102. Could you give a short summary of those objects, or is that impossible?—The objects may be very various; for the benefit of individuals, or of communities, or of the public.

103. I think just now you stated in answer to an honourable Member, that a property merely left for the purpose of persons living together for a religious life, as it is called, would not be a charitable purpose?—I think it is very doubtful.

104. Having made that negative proposition, I thought perhaps you could give us the affirmative, and say what was a charitable purpose?—It would involve the whole question in debate, and requires more precision than I am prepared to use.

105. Mr. *Pemberton.*] You do not think that an institution entirely for the support of a certain class of men, say priests, either of the Church of England or Roman Catholic priests, would be a charitable purpose?—The maintenance of a priest or clergyman would not be for his personal benefit, it would be for the benefit of his congregation, and would then be charitable.

106. Then, I understand you to think that an institution for the support of priests, either of the Church of England, or of the Church of Rome, would be a charitable institution?—Yes, within the principle of the last answer.

107. And it would be within your jurisdiction as Charity Commissioners?—Yes, certainly it would, if it is not for the personal benefit, but for the benefit of the priest of a given district or institution.

108. To procure his administrations for a particular district?—Yes, certainly that would be a charity.

109. I think I understand you to say that since 1860 there is no difference, so far as the Charity Commissioners are concerned, between Roman Catholic and Protestant charities?—No, none, except that the Roman Catholics may avail themselves of some special powers which were given to them by the Act of 1860.

110. They have the same power, have they not, as Protestant charities have?—They have more, they may give some more ready proof by usage of the existence of their charities.

111. But you do not, of course, inquire into any particular institution unless you are in some way set in motion by private information?—Not generally, unless there is some information or other showing occasion for inquiry.

112. Probably the reason why you have a greater number of cases of Protestant charities than of Roman Catholic charities, is because you are deficient of any information regarding them?—Yes, they are not brought before us for any purpose. We have never, I think, received any complaints respecting the administration of Catholic charities.

113. I think you mentioned the case of an institution at St. Leonards, and you said that they came to you to carry out some purpose with respect to the management of their property, and you took that opportunity of inquiring into the trusts?—Yes.

114. Was that inquiry carried out?—Yes, we have a copy of their deed of endowment.

115. And was the original object for which they came to you carried out?—Yes, as far as we know; no sort of doubt was suggested upon that point; they sent to us, without the least hesitation, their deed of endowment.

116. Mr. *Pease.*] You stated, did you not, that five out of the 400 Roman Catholic charities which had been enrolled were full of information, and that the other 395, or thereabout, were short?—I did not mean to confine myself to a precise number; I meant that a very large proportion of the enrolments were very insufficient for affording information.

117. Were those five, to the best of your recollection, old charities or modern ones?—They must have been old charities, because they would not otherwise have been enrolled under that Act.

118. Can you tell the Committee the general scope of those charities; were they for educational purposes, or what?—No, I am not prepared to say; I would have had the information if I had anticipated my being asked the question.

119. Mr. *Pemberton.*] Could you produce them if it were necessary?—They may be obtained at the Enrolment Office.

120. Mr. *Pease.*] Of those that have been produced with the full particulars, have the accounts been furnished from year to year to your satisfaction?—No, they have not. When I said that they were full, I meant to say that they were exceptional from the others, which give no information at all.

121. Mr. *Bourke.*] How many inspectors have you got?—We have four inspectors.

122. And is part of the duty of those inspectors to find out the different charities that you do not know of before?—They act under the orders of our board. We send them into districts as we find necessary, and then they have instructions to inquire into all charities in the locality.

123. Do they ever report to you the existence of certain charities that you had not known of before?—Yes; a great number.

124. Supposing you have been called upon to apportion

apportion a gift under the Act of 1860, has it ever occurred to you as to what principle you would apply at all to that apportionment?—That would depend very much upon the particular locality, and the principal purpose of the charity itself.

125. Would you endeavour to apportion it in such a way as you would think would be most consistent with the original intentions of the founder?—If the apparent purposes of the founder appeared to us equally beneficial with others, we should prefer them on that account, but we should take the condition of the locality at the time into account.

126. You have spoken about the decision in West *v.* Shuttleworth; that decision, I believe, was only declaratory of the common law?—I do not understand fully the principle of that decision.

127. Are you acquainted with the Act 1 Geo. 4, c. 50?—I do not know the object of the Act you mention.

128. That was an Act which made all Catholic property given for superstitious uses vest in the Crown; have you ever turned your attention to that Act at all?—Not for any practical purpose.

129. You do not know whether that was in fact the Act which prevented Roman Catholic charities from being enrolled and registered?—No, I do not know that.

130. With reference to the five trusts that you have mentioned, have you applied for the accounts of those trusts?—No, we have not; we do not know who are now the trustees; I am afraid that I was misapprehended if I am supposed to have spoken with more precision than I intended to use respecting those charities; I merely meant to say that out of a very great number there were a very small number indeed which professed to give their trusts at all; and where the trusts were stated in some detail, no means were afforded of ascertaining at all who are the trustees at the present day. They would state only the trustees at the time of the grants, probably at a remote period; but they would not continue any information to the present time.

131. Mr. *Gregory.*] I think your duties extend not only to the inquiry as to what property belongs to a charity, but as to the application of it?—That is the case.

132. That is within the scope of your ordinary inquiry, is it not?—Quite so.

133. You have the power, I think, of framing schemes for the proper application of funds?—We have the power, under certain limitations.

134. I am taking it generally, that you have power within certain conditions of framing schemes for the application of the funds?—Yes.

135. Then of course your inquiries would lead you actually to the inspection of the institutions, would it not?—If it were necessary we should do so through our inspectors.

136. For instance, taking such a charity as Christ's Hospital, you have made inquiries into that, have you not?—Yes.

137. You would make inquiries into their property, and the nature and extent of it I presume, would you not?—That would depend upon the object of our inquiry.

138. Taking the inquiry that you had to institute, was not that the effect of it?—Yes.

139. And you inquired into the application of the property, I think?—Yes.

140. And the number of objects, and how they were provided for?—That was so.

141. So that any large charity would fall within the scope of your duties, would it not?—Yes, certainly, for many purposes; but we could not with effect attempt to re-model the management or objects of such a charity as Christ's Hospital.

142. Supposing a third party gave you information to the effect that they believed that the objects of the charity were not fully or fairly carried out, you would then prosecute your inquiry in that respect, would you not?—Yes, certainly.

143. You have been asked to distinguish those conventual institutions from clubs, and I think you had some little difficulty in doing so, but if there was anything like an educational endowment attached to them, that would bring them within the term of a charity, would it not?—I think so.

144. Again, for the relief of the sick, nursing establishments for instance, those would come under that category?—Yes, those would be eleemosynary objects.

145. How would you deal with benefit clubs; do you consider them merely as clubs, or as charitable institutions?—They are supported by their own subscriptions only.

146. But they may have endowments attached to them, may they not?—If they have endowments, they would be within our jurisdiction to the extent only of the endowment.

147. But still that would bring them within your jurisdiction *pro tanto*?—Yes, *pro tanto*, only we should have no right to inquire about their subscriptions.

148. With respect to those enrolments since 1860, you say that they gave you no information as to the trusts on which the property was held?—Very few.

149. In fact I suppose they were merely registers of the legal estate?—They were registers of the actual deeds of grant; not of the transmisson of the estate, but merely the original grant.

150. And you did not follow it any further?—We had no means of following it further.

151. You mentioned a decision of Sir Herbert Jenner Fust, to the effect that prayers for the dead are not now superstitious; was that case carried to the Privy Council?—No, I think not.

152. Then it is merely resting upon the authority of Sir Herbert Jenner Fust?—Yes, it is reported in Curtis's Reports.

153. Could you give us the name of the case?—It is in 1st Curtis, and it relates to Carisbrooke Churchyard.

154. Mr. *Howes.*] The case of West *v.* Shuttleworth was subsequent, was it not, to the decision of Sir Herbert Jenner Fust?—I think not. I think Sir Herbert Jenner Fust's decision was a very short time subsequent to West *v.* Shuttleworth.

155. You have said, I think, that an association of priests, whether Roman Catholic or Anglican,

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with an endowment, would be a charitable purpose?—I should doubt that very much, if it is merely for the maintenance of those priests.

156. Not merely for maintenance, but for the purpose of enabling them to perform their religious duties?—No, I doubt that very much, if the case is meant of a number of persons associating merely for performing together their personal religious duties.

157. Supposing even that you had said so, you would not extend that to an association of women for the purpose simply of enabling them to lead a religious life?—I think it is the same question.

158. But if the latter association were for any further purpose, such as enabling them to teach poor children or to visit hospitals, and to act as sisters of mercy, and so forth, then, probably, it would be a charitable purpose?—Yes, I think so.

159. How would it be, supposing the object or purpose of such establishment was to carry on those works of benevolence?—It would be a charitable institution.

160. How would it be, supposing it was an express or implied object of any one of those institutions of women, for instance, that they were bound expressly, or by implication, to pray for the soul of the founder; would that be a charitable purpose, so as to make it a superstitious use, and therefore, to a great extent, render it apportionable, if not void?—It would make it apportionble under the Act of 1860.

161. That would be rather following the decision in West *v.* Shuttleworth, would it not?—It would be following the decision in West *v.* Shuttleworth to the extent that such a trust would be void in itself; then it would come within the Act of 1860, and make the endowment apportionable.

162. Have you any principles or regulations upon which, or according to which, you make the apportionment, where the deed of endowment itself makes no apportionment. I speak of specific endowments, where you are enabled, under the Statute of 1860, to make an apportionment between valid uses and superstitious uses?—We have never been called upon to act in such cases. As I stated just now, we should judge of the expediency of the different proposals that might be made to us; we should not surrender our judgment to any of the parties; we should endeavour to make it useful to the fullest extent of the means.

163. In answer to my question you stated that at present you have laid down no principles, and have found no regulations by which you would consider yourselves bound?—No; we have had no opportunity of action, and it would be inexpedient to make general regulations on such a subject.

164. Mr. *O'Reilly.*] You have had some questions put to you by the honourable Member for North Warwickshire, and I am not quite clear as to your answers; you were asked whether, in cases of charities, you were not virtually the official trustee of the charity, and whether the other trustees must consult you as to the administration of the charity; I would like to have a distinct answer to that question; must the other trustees consult you as to the administration of the charity?—I endeavoured, in answering the honourable Member, to disclaim our being trustees in any sense, for we really are not; we have no power, as I said, of performing one function of trustees; we cannot apply any portion of any endowment ourselves, and therefore all that we can do is to control those who do administer.

165. Would I not be right in saying then that the other trustees need not consult you as to the administration of the trust; although you would have the power of seeing that they had administered it rightly, they need not consult your board as to the administration?—No; it would be quite impossible for all the trustees of every endowed charity in the kingdom to be applying to us with respect to their ordinary functions.

166. Another statement in one of his questions was that you had power to direct the application of a charity; speaking of all charities, is it correct that you can direct the application of a charity, or is not your power merely confined to seeing that it is applied in the way directed by the trust?—We have no power of summarily directing the application; it could only take place in this way, that if the application of the charity requires amendment, any parties interested may apply to us to establish a scheme of regulations, and when we have gone through the formalities by which that scheme must be preceded and established, then that scheme is binding on the trustees; we have no more summary mode of directing the application than that.

167. Then it would be correct to say that you may sanction the scheme proposed for the application of the trust, but not correct to say that you yourselves have the power of directing the application?—No, we have no summary power of interfering at all, but with prescribed formalities we may establish new schemes.

168. Another question put to you was this, that an association of persons living together, if property be given to them, was either a charity or a corporation; I think you dissented from that proposition, did you not?—Certainly, a gift may not be charitable, and cannot create a corporation.

169. The next question put to you was, would it not be a corporation not incorporated; do you know of any such thing?—No, there are certain corporations for limited purposes, but not in the sense in which the question, I think, was asked.

170. The next question was whether, in such a case of an association of persons living together with anything else added to it, if property be given to trustees for them, it would come under the definition of a charity; do you accept that statement?—It is again the same question, depending on the special purposes of the gift, whether those are charities or not.

171. Then it would not come under the definition of a charity, simply because it was given to an association of persons living together, would it?—No, I think not. A trust for the inhabitants of a specific building would not, I think, constitute any charity of itself without reference to the purposes of their association.

172. With regard to the institutions, and the law with respect to which we may direct our inquiries, that is to say, conventual and monastic institutions, some hypothetical cases have been put to you; allow me to put this case to you; if an

an endowment were left for the support of an association of ladies of the Roman Catholic Church, who agree to live together, and devote themselves to exercises of personal piety, but not any corporal charity as regards others, would that be a charitable endowment, in your veiw?—I am afraid it is the same question to which I can give no more positive answer; I think it would not be a charity.

173. You mentioned that there had been one or two small complaints of the administration of Roman Catholic charities, which were brought to your notice; can you remember whether those were trusts connected with monastic or conventual institutions?—Not at all; we have never had any complaint on the subject of any conventual or monastic institution.

174. Can you of your own knowledge give us any information as to charitable trusts connected with the subject of our reference, namely, monastic and conventual institutions?—No; I am not in possession of any specific information respecting such institutions.

175. You have referred to the statute as to superstitious uses: supposing the case which was put by an honourable Member, of an endowment left for the support of religious ladies, who taught a school, but that a condition of the endowment was, that they should pray for the soul of the benefactor, would that in your view vitiate the whole of the endowment, or, if not, how could you separate it?—I think that the condition being only for offering these prayers would render the gift wholly void, according to the existing law.

176. Could you tell the Committee, as nearly as you can, your view of the English law at present as to superstitious uses?—I have only seen specified the maintaining of lamps, and the praying for the dead, or the keeping of obits. I do not know of any others that have come into recent question.

177. Do those questions as to superstitious uses apply exclusively to Roman Catholic institutions, in the terms of the law?—No question has been raised with reference to any other trusts of that nature.

178. As far as you know, would an endowment for the support of a Mormon temple and Mormon teaching, in any way come under the law against superstitious uses?—It would probably be considered against the policy of the law, and void for that reason.

179. Or take the case of a Mahommedan temple or teaching?—I suppose that again would be invalid as against the policy of the law. A trust for maintaining the Jewish religion was considered by the courts to be void; but the Jews have been relieved from that by specific enactment. Other trusts opposed to the Christian religion, and not within the remedial laws referred to, would be invalid.

180. Would they be void by law in England or in the English dominions generally?—I cannot answer with respect to more than the English law.

181. You are probably aware that there are many such endowments in India, and that they are not void by law?—Yes, I should think not; I am speaking solely of English law.

182. Mr. *Sherlock.*] Reference has been made to the case of West *v.* Shuttleworth; do you recollect exactly the decision in that case?—Yes, I think so.

183. Was it not that money given for the maintenance of a priest was held to be void by Lord Cottenham under the Statute of Superstitious Uses?—No; I think in West *v.* Shuttleworth it was only that property given for maintaining prayers for the dead was held to be given on void trusts, and it went to the next of kin.

184. Mr. *Matthews.*] The words of the legacy in West *v.* Shuttleworth as you will find them in the 2nd Milne & Keen are: "It is my wish and desire the sums may be paid as soon as possible, that I may have the benefit of their prayers and masses?"—Yes; it was given in those terms. There was a former case of a grant to a Roman Catholic priest simply.

185. Mr. *Sherlock.*] And that was held to be void?—Yes; it was held to be void, before the Act of the 2 & 3 Will. 4.

186. You spoke of the enrolment of those deeds; the act of enrolment is the transcribing of the deed, is it not, upon the roll?—Yes; it must set out the whole of the settlement to charitable uses.

187. Is it not the actual transcribing of the deed itself?—Yes.

188. The enrolment, then, cannot contain anything that the deed itself does not contain?—No.

189. Have you any reason to suppose that in the cases to which you refer, the precise words of the deeds were not accurately set out in the enrolment?—Not the least; I think the deeds were simply transcribed.

190. Then it was not the enrolment that was imperfect?—No, the deeds were enrolled, but the settlement to charitable uses was imperfect.

191. Then they may be insufficient to convey any information, but the enrolment itself was as perfect as the deed would permit it to be?—Quite so.

192. You have referred to the Statute of Elizabeth; that is the foundation, is it not, of the English law with reference to what is a charity?—It is constantly referred to as containing a catalogue of the principal objects, but that enumeration is not complete.

193. Does that Act, in your opinion, refer to or include in any way monastic or conventual institutions; were they contemplated as coming within the purview of that Act of Parliament according to your view?—I suppose certainly not from the date of the Act; it was at the end of Queen Elizabeth's reign, and they could not be contemplated at that time as charities.

194. Are you aware of any other Act of Parliament since, dealing with charitable institutions, and defining charities, that does contemplate monastic and conventual institutions?—None that specially relates to them; at least, I do not know any.

195. Mr. *Newdegate.*] You are aware, are you not, that there is in the Act of 1860 a clause specifically reciting and re-enacting the clauses of the Roman Catholic Relief Act of 1829?—It

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has no reference in terms to monastic institutions.

196. Mr. *Matthews.*] With reference to what you were asked by the honourable Member for North Warwickshire, is it not the fact that Roman Catholic charities are now completely subject to the provisions of the Act of 1853?—Yes, quite so.

197. The exemption which they enjoyed in the interval between 1853 and 1860 has entirely ceased?—That is so.

198. Do your powers of inspection and control, such as they are, apply to Roman Catholic charities as fully and as amply as to Protestant charities?—In the same degree.

199. There is no difference whatever in the jurisdiction that you have over Roman Catholic charities and in the jurisdiction which you have over Protestant charities?—No, none, that I am aware of.

200. You have said that the trustees of Protestant charities are not the persons who habitually apply to you for assistance or inspection?—They very frequently do, but there are many other applicants.

201. I understood that generally the applications came from those who were dissatisfied in the administration of the trusts?—No, that is too general; we have a great number of applications by trustees who are most interested in the charities, and most interested in their advancement, and in extending their benefits.

202. I presume trustees do not come to you, to say that they have been guilty of mal-administration?—No; but they say the trusts confine their hands so much, that they could make the charities much more useful if we would set them free.

203. And they come to you for a new scheme?—Yes.

204. On the other hand, have you applications from persons interested in the benefits of the charity, who say that the trusts have not been duly administered?—Yes; we have many such applications also.

205. With respect to convents and monasteries, you have not had an application of either sort?—None whatever.

206. You have expressed your opinion that a trust for the maintenance of a monastery, would be illegal under the clauses of the Emancipation Act?—Yes; so far as relates to monks of particular orders whose residence in this county is prohibited.

207. I think all other orders; it is a section, is it not, of the Emancipation Act; we will take it generally with respect to any monk coming within the prohibitory clauses of the Emancipation Act; a trust for their maintenance, you have expressed the opinion, would be an illegal trust?—I think so.

208. Have you directed your attention to those statutory enactments which make it at least doubtful whether a convent of women is not also an illegal institution?—They are excepted from those clauses of the Catholic Relief Act.

209. You are acquainted, are you not, with the 31 Geo. 3, c. 52, I think, which expressly excepts convents as well as monasteries from the benefit of the Catholic relief then given?—I am not acquainted with that Act.

210. Perhaps you have not had your attention recently drawn to the statute of the 23 Hen. 8, c. 10, which enacts that, "Where by reason of feoffments, fines, recoveries, and other estates and assurances made of trust of manors, lands, tenements, and hereditaments, to the use of parish churches, chapels, churchwardens, guilds, fraternities, commonalties, companies, or brotherhoods, erected and made of devotion or by common assent of the people without any corporation, and also by reason of feoffments, fines, recoveries, wills, and other acts made to any uses aforesaid, or to the uses and intents to have obites perpetual," and so on, is prejudicial and prohibiting such things; has your attention been directed to that statute?—It has not.

211. There is no express relief; no repeal of the section?—I am not prepared to answer that.

212. You would not be prepared to give an opinion that a convent *impliciter* is a legal institution in favour of which a legal trust might be well declared?—I see no reason myself why it should not.

213. As to the enrolment under the Statute of 1860, the effect of the Statute of 1860 was simply, was it not, as far as the enrolment was concerned, to cure the defective enrolment under the previous Mortmain Act of Geo. 2?—That was the effect of the clause.

214. To enable the people who had omitted to enrol under the Act of Geo. 2, to come in in the course of 12 months and enrol under the Act of 1860?—They only acquired the benefit of the Act Geo. 2 on those terms.

215. Therefore that benefit only applied to trusts then existing?—Certainly.

216. I mean that the Act of 1860 has given no advantage or benefit in the way of emolument to any Catholic charity created since 1860?—None. It provides for the support of Roman Catholic Charities by evidence of usage only.

217. But as to the enrolment of Roman Catholic charities, the Act of 1860 gives no facility to any Roman Catholic charity thereafter created?—No, certainly not.

218. As to Roman Catholic charities then existing, I have understood you to say that the deeds were naturally silent about the trusts, because the law struck at those trusts, and made them illegal?—Yes.

219. Is not that the reason why those 400 deeds, which have been enrolled, give you no information as to the trusts, and that systematically Catholic charitable trust deeds were by the operation of the law necessarily silent as to the trusts?—Yes, I think so; the founders could not venture to declare the trusts.

220. I will take the usage clause; the 5th clause of the Roman Catholic Charity Act of 1860, makes consistent usage of the last preceding 20 years conclusive evidence of the trusts upon which the same property shall have been settled?—Yes, that is so.

221. Does it not follow from that, that if for 20 years before the Act, property left in trust for any Catholic charity had been applied to the maintenance, for instance, of a priest who said masses for the repose of the soul of the donor, by the operation of that 5th clause that usage becomes conclusive evidence of the trusts which were themselves

selves illegal under the law of superstitious uses?—No, I should think not, because it is required that the endowment shall have been consistently applied to some charitable use during the last 20 years. This would not apply to a superstitious use.

222. The maintenance of a priest, who had constantly for 20 years said masses for the soul of the donor, would be conclusive evidence that that was the object of the trust upon which the property had been settled?—No; I think that the usage might establish a trust for the maintenance of the priest, but not for doing an illegal thing. According to the decision of the Court, the saying of masses for the dead is not a charitable purpose, and therefore it was not to be proved a consistent usage.

223. How could you suppose that a case of that sort would be dealt with, supposing you had found that it had been a consistent usage for 20 years?—It might be dealt with as a trust for the maintenance of the priest for the district.

224. Displacing the usage?—Only displacing that which was not charitable, and supporting the trust for maintaining the priest as a charitable and legal purpose.

225. Mr. *Newdegate.*] Is it not the fact that the law against superstitious uses, that is, against prayers for the dead, has a general application, and is not limited to Roman Catholics?—Yes; though according to the judgment of Sir Herbert Jenner Fust it is not illegal to say prayers for the dead.

226. *Chairman.*] Supposing we had another sect or persuasion in the country that left money to pray for the repose of souls, to pray for the dead, it would be just as illegal as applicable to them as it would be to Roman Catholics?—Yes, quite so.

227. Mr. *Matthews.*] Is it the case that Sir Herbert Jenner Fust decided that it was legal in the Church of England to pray for the dead?—Yes; I understand that to be his decision generally.

228. Whereas bequests for a priest to say masses for the dead have been uniformly held to be illegal?—The case to which I referred was this: there was a tombstone erected in the churchyard with the inscription "Pray for the soul" of the person whom it was desired to commemorate, and it was justified on the ground that "it is a wholesome and good thing to pray for the dead." There were law proceedings taken in the Ecclesiastical Court against the person who placed that monument, and upon those proceedings Sir Herbert Jenner Fust held that praying for the dead did not involve the doctrine of purgatory; that the habit of praying for the dead was prior to the doctrine of purgatory; and that there was nothing illegal that he knew of in the law of England in praying for the dead.

229. On the other hand, it seems that for a Roman Catholic priest to say masses or prayers for the dead was uniformly held to be bad, and a trust for that purpose to be void?—Yes; it was so held in Chancery, but I do not know whether the tombstone commemorated a Roman Catholic or Protestant

230. Mr. *Newdegate.*] Would it be held to be legal in the case of a minister of another denomination?—I do not know that the question has arisen, but I suppose there would be no difference.

231. Mr. *Talbot.*] Is there not a distinction between saying masses for the souls of the dead, and merely praying for the dead; one being superstition, and the other the law having said nothing about?—I do not know of any distinction that is so expressed.

232. Mr. *Cogan.*] Where any charity is maintained partly by voluntary subscriptions and partly by means arising from endowment, under the Act of 1853, does not your power extend simply to the endowment; it does not extend at all to the voluntary subscriptions?—It does not; it is entirely confined to the endowment.

233. In the case of donations or bequests in trust for any such charity, of which no special application or appropriation shall be directed or declared by the donor or testator, and which may legally be applied by the governing or managing body of such charity as income in aid of the voluntary subscriptions, that also is not subject to your jurisdiction?—No; you are reading the exemptions, I think, in the Act of 1853.

234. An endowment of that sort, with no special direction as to its application, and which may go in aid of the income from voluntary subscriptions, is exempt, is it not, from your jurisdiction?—We consider that all charitable gifts, the capital of which may be expended at once, are beyond our jurisdiction.

235. The Statute of 1860, with regard to Catholic charities, does not abolish the old Statutes against superstitious uses; it simply modifies the operation of the law previously, which made void the entire of any bequest part of which was for a superstitious use; is not that so?—Yes, that is quite so.

236. The Statute of 1860 simply enabled the superstitious or bad use to be separated from the good use, and the part which was for good use to be appropriated as intended by the testator or donor, and that which was applied to what was by the law a superstitious use, could be applied by the Charity Commissioners to *cy-prés* use; is not that so?—Yes; it is in larger terms, I think, than a *cy-prés* use.

237. But if part of that bequest was for what the law considers a superstitious use, such as saying masses for the dead, that bequest clearly could not, by the law of 1860, be appropriated for such purpose?—No; it could not.

238. It would still be bad?—Clearly so.

239. The law, as at present, would render it impossible for a Roman Catholic charity legally to be enforced which contained provisions for saying masses for the dead, or which involved donations for the maintenance of monastic orders, which are declared illegal by the Emancipation Act?—Such a charity could not be maintained unless it were cured by the Act of 1860; if it were entirely for illegal purposes, it would be invalid.

240. So far, Roman Catholics are in an exceptional position from other religious communities, are they not?—I think not in that respect. If a charity were established for enabling the members of another religious community to say masses for the dead; the same law would apply to them.

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241. *Chairman.*] You are the Secretary to the Charity Commissioners, I believe?—I am.

242. Are you by that office an official trustee of charities?—Of charity lands, and also one of the official trustees of charitable funds.

243. Is it provided in the Act that the secretary should be so?—Yes, it is.

244. What are the particular duties of an official trustee with respect to all charities, whether land or funds?—They are totally distinct.

245. Is it supervision over other trustees?—No. As regards the official trustee of charity lands, he is a bare trustee for holding the legal estate. The Act says that he shall not interfere in any way with the management of the property.

246. What is the purpose of his being official trustee?—Where land is given to persons such as the rector and churchwardens, who are the trustees of the charity *ex officio*, or to churchwardens *ex officio*, then it is necessary that the land should be vested in the official trustee of charity lands.

247. Have you no authority at all, and no power over the trust?—No.

248. Does that apply to all charity funds?—The fee is vested by order of the Court of Chancery or by the Charity Commissioners; and by the same tribunals can be divested.

249. Then could the trustees act without the sanction of the official trustee in the administration of a trust?—Yes, in the administration of a trust, but they cannot deal with property except under the circumstances mentioned in the Act of 1860.

250. What circumstances do you refer to?—Those mentioned in Section 16 of the 23 & 24 Vict. c. 136. It is an Act of 1860, but not the Act relating to Roman Catholics.

251. Are you, in your capacity as secretary, brought into immediate communication with the inspectors?—Constantly.

252. Are there written instructions to those inspectors directing the course of their inquiry or inspection?—No written instructions, but they have generally instructions, and when they have orders to inspect any particular locality, they act upon those general instructions, unless the order authorises them to inquire into the charity more particularly.

253. Do they act only upon specific instructions with respect to the charities of the localities, or are they bound to ascertain for the information of the board where any charities exist?—No, they never go to a place for the purpose of making an inspection without an order for that purpose.

254. And your board never directs them to inquire unless the trustees themselves, or some persons interested in the charity, have moved the board to do so?—Unless the Commissioners themselves think it necessary to make that inquiry, or complaint has been made to the Commissioners, or a request made to them that there should be an inquiry.

255. But they have no means of getting information except that which originates with the parties themselves?—It may so happen that a charity is reported in the printed reports of the former Commissioners for inquiring into charities, and they may have certain information in addition to that.

256. But the board do not seek information; they have the means of obtaining it, and when it is notified to them by the trust, or by a person interested in the charity, they act, but not otherwise?—The Commissioners would be unable, in many instances to make a scheme for the better administration of a charity without having the aid of a report made by an inquiry upon the spot by one of the inspectors.

257. Has it been a subject of consideration at the board that the Catholic charities are never brought under their notice?—The Commissioners in their Ninth Report, made in 1862, did advert to that very subject. I have got that report with me, if the Committee would like to hear the passage which relates to that subject.

258. Was that report after the Act of 1860?—Yes; after the Act of 1860.

259. What is the nature of the report to which you now refer?—It is the report of the Charity Commissioners in 1862, and it says "The temporary exemption of Roman Catholic charities from the operation of the Charitable Trusts Act ceased in 1860. The Roman Catholic Charities Act of the same year created special facilities for supplying the emolument of existing Roman Catholic endowments, which though necessary to their legal validity (when comprising real estate) had been omitted during the prevalence of laws specially affecting the Roman Catholic body. Although numerous grants have been enrolled, as in compliance with that Act (approaching to 400 in number), yet the trusts on which these assurances were made or which were intended to be attached to the grantees, appear only on a very inconsiderable portion of the enrolments, and it may perhaps be concluded that the administrators of the properties which they comprise, have preferred to rely upon their practical dedication to public purposes, rather than by legalising their settlement to subject them more directly to the general law, or that the means of making more sufficient enrolments may have been wanting. No returns have yet been made of the income and expenditure of any such charities, but the time allowed for the transmission of such returns for the year 1861, the first complete year since the termination of the exemption referred to, has not fully expired."

260. That is the notice which you make in the report, but have you made any observation with respect to the absence of enrolment after the first year?—I am unable to answer that question, but a search is now being made in the Enrolment Office for a note of all the deeds that have been subsequently enrolled.

261. The inquiry not previously being made, it is now being made?—It is now being made, and I dare say by this time it will be complete. The clerk from the Charity Commissioners, who made inquiry yesterday, was informed that it was not then complete.

262. Do you confirm Mr. Erle, that there has been no notice brought before the board of any Roman Catholic charities coming under their consideration since 1862? I think, perhaps, you must have misunderstood Mr. Erle. We have had several Roman Catholic charities brought under the notice of the Charity Commissioners since 1861. They have sent us their deeds, and on receipt of their deeds we have registered them in our book of charities; and they are now amongst the charities of the country registered in our books.

263. You only register after enrolment, I believe?—No; for instance, a charity in money only would not require enrolment; and it is merely registered in our books.

264. Have you proceeded in the case of the Roman Catholic charities as you would in any other case?—Yes, certainly.

265. You assumed the same authority as you have in respect to other charity trusts?—Yes, without distinction.

266. You stated, did you not, that there have been several cases of that kind since 1862?—Yes.

267. There has been no difficulty with respect to the purposes of the trust?—None whatever; nothing has been withheld. We have, as usual, required to see the trusts mentioned in the deed affecting the property with which they have asked the Charity Commissioners to deal, or to assist them in dealing.

268. You could not have acted at all unless you knew the trusts?—Certainly not.

269. There was no reluctance on their part to disclose them?—None whatever.

270. And, as far as you remember, they were innocent in their purport?—Certainly.

271. Supposing there might have been a question about the nature of the charity, and the deed was enrolled, should you have looked to the purpose?—Certainly. The Charity Commission would not undertake it for anyone until they were perfectly satisfied of the legality and propriety of the trusts.

272. The purposes of those trusts are sometimes expressed, are they not, in language that raises questions and doubts although they are not obviously illegal?—Yes, and the Charity Commissioners are perfectly competent to deal with those questions.

273. You are not aware, from any information that you receive from the inspectors, that the Catholics have any particular reason for not submitting to your authority with respect to their trust?—None. I only know one instance in which an inspector, happening to be in a town in Somersetshire, had an application made to him by the Roman Catholic priest of the town for advice upon a matter, and the inspector informs me that it was a question which he was unable to determine, and he said that the remedy which the Roman Catholic priest required must be sought for in the Court of Chancery.

274. You have to do with the accounts of those Catholic charities, have you not?—In some few instances only.

275. Do your inspectors examine on oath?—Yes, they have that power.

276. Have you heard Mr. Erle's evidence?—Yes.

277. Have you anything to suggest to the Committee beyond what he has stated?—There is nothing that I wish to add to his evidence.

278. Mr. *Jessel.*] Do you recollect any instance, of an application to the Charity Commissioners, on behalf of a convent or monastery?—I only recollect one instance, which savours really of that character. It was one at Hastings in which the trustees applied for the authority of the Charity Commissioners to deal with their property to some advantage, by granting leases beyond the term of 21 years; and that authority was readily granted.

279. Was that the case of a convent?—It is called a female school. It is a training school at St. Leonards, I have the trust deed with me.

280. Mr. *Matthews.*] It is in point of fact not a convent in the ordinary acceptation of the term?—I am unable to define the exact meaning of the term.

281. *Chairman.*] Was that a case which came before the Board of Charity Commissioners?—Yes.

282. Mr. *Jessel.*] And I understand it is a school?—It is a school.

283. Then of course it is a charity of an ordinary character?—I think it is of an ordinary character.

284. Has your attention been called to the law relating to convents?—No, it has not.

285. Have not you considered the question as to whether convents as such are charities or not?—No, I have not.

286. I suppose you would not consider it unless the case were brought before you?—No.

287. Mr. *Newdegate.*] You stated, did you not, that for all charities you are the official trustee, *qua* secretary, to the Charity Commissioners?—I am the official trustee of lands belonging to a charity when an order has been made vesting those lands in me.

288. *Qua* secretary to the Commissioners?—Yes; the Act says the secretary shall be the official trustee of charity lands.

289. Have any lands belonging to Roman Catholic charities been so vested in you?—No; none whatever, that I am aware of. The Court of Chancery might have vested them in me without my knowing it; it would have been the duty of the trustees to inform me to that effect, but I have received no such information.

290. You know the Statute of 1860, do you not?—Yes.

291. Do you believe that any of the subsequent Statutes under which it would be your duty to act, the Statute of 1861, the Statute of 1862, the Statute of 1864, and the Statute of 1866, are applicable to Roman Catholic charities? — It would be hardly right, and probably it would be arrogance in me, to answer that question. I do not know of any case which has been brought before the Charity Commissioners, or brought before me in such a way that I should put it before them, and ask their opinion upon the matter; I should of course be guided by the manner in which they interpreted those Acts.

292. You are not in a position to state whether the trustees of Roman Catholic property have availed themselves of the provision of those Statutes,

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Statutes, in applications to the Court of Chancery?—No not to the Court of Chancery.

293. To the Rolls Court?—No not to the Rolls Court; that would be the Court of Chancery; I am not aware that they would be able to go there without having first obtained the certificate and order of the Charity Commissioners for the purpose, or without having made application direct to the Attorney General.

294. Then you are not aware that they have enrolled without application to your commission?—The Enrolment Office is an office entirely under the direction of the Master of the Rolls; and the Charitable Trusts Act says that every official of the Board of Charity Commisioners shall have access to the office, but beyond that I can say nothing; I do not search the Enrolment Office myself.

295. Then the answer to that question could be given by some officer from that office?—Yes, exactly so.

296. You have stated that you sent down inspectors into different localities; do you send down inspectors only when applied to by the trustees, or do you also do so when applied to by other parties?—Frequently the Commissioners before making a scheme, or making an order affecting property, and especially where large sums of money are to be laid out in the rebuilding of a school, would think it necessary that one of their own inspectors should visit the spot, and take evidence upon the question, and should report to them in writing for their guidance only.

297. Then an application would come to them in the first instance?—Not necessarily for inspection.

298. You could send down an inspector without an application?—Yes, certainly.

299. Have you any list of the Roman Catholic trust deeds with which you have dealt?—Yes certainly.

300. Could you furnish that to the Committee?—Yes, they are registered.

301. Could you furnish a copy of the register?—I could not furnish a copy of the book of registers; I could furnish you with an abstract, and produce the book.

Mr. William Henry Gunning Bagshawe, was called in; and Examined.

Mr. *Bagshawe.*

302. Mr. *Matthews.*] You are a Counsel, are you not, practising at the Equity Bar?—Yes.

303. And you are a Roman Catholic?—Yes.

304. Have you had considerable experience as a conveyancer, with respect to the property of Roman Catholic institutions, for many years?—Yes.

305. You are no doubt conversant with the present state of the law respecting them?—Yes, I think so.

306. Will you state to the Committee, in your own way, what you consider to be the present state of the law with regard to convents and monasteries?—With respect to monasteries containing monks bound by vows, which is the test furnished by the Emancipation Act, there can be no doubt about their complete illegality, because the Emancipation Act renders the taking or administering of such vows a misdemeanour, and imposes the penalty of banishment or ultimately of transportation. There can be no doubt that such institutions are, in every respect, as completely illegal as any associations formed for any purpose which, in the ordinary acceptation of the term, is illegal, or even immoral. That is the position of all monasteries containing monks bound by vows; and I think I may say practically that that applies to all monasteries, because I think there is no such thing as a monastery, properly so called, that does not contain monks bound by vows; and, in point of fact, it is part of the essential idea of monasticism that there should be vows.

307. It was suggested just now by some honourable Member that there might be monks who did not take vows, but such a thing does not exist in modern times, does it?—I think not; I think that the essential idea of a monk is a person who is bound by the three vows of poverty, chastity, and obedience.

308. On the other hand, the Emancipation Act, I think, draws a distinction between jesuits and persons belonging to monastic institutions?—I think that Jesuits are merely selected as specimens.

309. In strictness the Jesuits are not a monastic order, I believe?—I believe that, technically speaking, they are a congregation rather than an order.

310. In like manner other gentlemen, of whom we certainly hear a good deal in Parliament, the Oratorians, are also not a monastic institution?—But in a very different sense from the Jesuits; the Jesuits take vows, and I have no doubt that even if they had not been named they would have been within the terms of the Emancipation Act. With respect to the Oratorians, they are, in very many respects, quite different; they possess their own property, and take no vows, and they are free to leave whenever they please. With respect to the monks, I have only further to add this, which, although a small point, may be worth mentioning, that there is a special provision against their using their habits out of church or private houses; that is to say, in addition to the enactment which I have mentioned, there is a special enactment in section 26 rendering it illegal for them to wear their habit, for example, at a funeral in a Roman Catholic churchyard. I do not think I have anything to add with respect to monasteries.

311. Will you just follow out that for a moment. Does it follow from that enactment of the Emancipation Act that any trust for the maintenance and benefit of monks is an illegal trust?—Simply illegal, I have no doubt.

312. It is open, is it not, to the Court of Chancery, at the suit of the heir-at-law, or the next of kin, according as the property was real or personal, to declare the trust void, and the benefit of the property would then go to those entitled?—I have no doubt.

313. That would be a trust which would fail altogether?—Quite so.

314. It follows from that, therefore, that no trusts for the benefit of monasteries can with safety be disclosed?—Quite so.

315. What

315. What would you say with respect to convents?—With respect to convents, I should desire to avoid expressing a legal opinion as to whether they are, or are not, legal. I should limit myself with regard to the question of their legality, to expressing a serious doubt, such a doubt as, in my humble opinion, should not exist. Reference has also been made to the first Roman Catholic Relief Act, the 31 Geo. 3, c. 32; the section which I think was referred to was section 17.

316. Will you kindly read that section in order that the Committee may have it before them?—The general effect of the statute is not to enact any new law against monastic institutions, but to preserve the same law as was considered to be then existing.

317. It is in substance an Act for the relief of Roman Catholics from penal enactments and disabilities, is it not?—Yes, the general scope of the Act is to give a certain limited relief to Roman Catholics from certain of their disabilities. The section is, "Provided also, and be it further enacted, that nothing in this Act contained shall make it lawful to found, endow, or establish any religious order or society of persons bound by monastic or religious laws, or to found, endow, or establish any school, academy, or college by persons professing the Roman Catholic religion within these realms or the dominions thereunto belonging; and that all uses, trusts, and dispositions, whether of real or personal property, which immediately before the said 24th day of June 1791, shall be deemed to be superstitious or unlawful, shall continue to be so deemed and taken, anything in this Act contained notwithstanding."

318. I presume it may be taken to be the law before that statute that convents and monasteries, and every act connected with the Roman Catholic religion, was illegal in England?—I think so.

319. Then that Statute does not say that they are legal?—That Act seems to except monastic institutions and schools from the relief which it afforded, and then it contains a general saving of the law as to all uses and trusts which before the passing of the Act would have been deemed superstitious or unlawful. And with respect to that 17th section, I desire to mention this, that in the second of the two Acts which were passed for the purpose of sweeping out of the Statute book the various penal enactments against Roman Catholics, namely, 9 & 10 Vict. c. 59, there was a repeal of sections 12, 15, and 16, of that Act, but not a repeal of that 17th section, which I have read. That 17th section, therefore, remains the law of the land, except so far as it may have been impliedly repealed by the exemption of nuns from the penal clauses of the Emancipation Act, and also except so far it may have been affected by the Roman Catholic Charities Act, 2 & 3 Will. 4, c. 115, which for the first time legalised their tenure of property.

320. Just let us take those exceptions one by one; will you just read the section in the Emancipation Act, which excludes nuns or convents of women from the operation of the penal clause of that Act?—It is the 10 Geo. 4, c. 7, s. 37: "Provided always, and be it enacted, that nothing herein contained shall extend or be construed to extend in any manner to affect any religious order, community, or establishment, consisting of females bound by religious or monastic vows."

321. Is not the effect of that section to prevent the penal clauses of the Emancipation Act itself from applying to convents of women, but in no way to relieve them from any disability which then existed by law?—I should desire to express myself as doubting upon that point. You will observe that these proceedings might result in an attack upon their property, and I feel therefore very great hesitation in expressing an opinion that there is distinct illegality; at the same time, nobody can doubt that the question is far too serious to be pleasant for them.

322. Now let us take the other Statute that you mentioned, namely, 2 & 3 Will. 4, c. 115, that only extends to Roman Catholic schools and places for religious worship, education, and charitable purposes, the same laws as Protestant Dissenters are now subject to?—Yes.

323. It does not extend generally to convents or monasteries, and so on?—Not in its terms, certainly. There have been arguments founded upon the section, particularly in the case of Bradshaw *v.* Tasker, and the other case that was mentioned, West *v.* Shuttleworth, as to its having a sort of general legalising effect with regard to Roman Catholic institutions. I should not like to lay very much stress upon that, but it is quite certain that that Act leaves the matter at best in a doubtful position, except as far as schools and places of worship and charitable purposes are concerned.

324. You have mentioned those two heads of the law; there is also another and a distinct head of the law about superstitious uses, which might also, I presume, affect property left for monasteries at any rate, supposing it to be coupled with a trust which came within the definition of superstitious uses?—No doubt that is so.

325. And even to property left in trust for a convent, coupled with a special condition, for instance, of prayers for the benefit of the soul of the donor?—Yes.

326. Have you anything to add as to the state of the law with regard to convents as it stands upon the Statute book?—Nothing further occurs to me.

327. Does that state of the law, as you have described it, operate harshly or injuriously to those institutions, in your opinion?—With respect first to monasteries, it renders it quite impossible for them to enrol any conveyances of property when it may happen, and it certainly does happen that that property sometimes is unquestionably subject to charitable trusts; it renders it impossible to them to do it without the risk of losing the property; in point of fact it would be no use enrolling a trust, which on the face of it would be void.

328. Mr. *Pemberton.*] You did not refer to the words "charitable trust," I think?—There would be no use in enrolling any deed that did not relate to any charitable trust, but where it happened that the deed related to a charity, and was connected with a conventual institution, then such a deed, no doubt, might be enrolled, but it would be dangerous to do it.

329. Mr. *Matthews.*] Would the same objec-

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tion that you have just explained apply, though in a more doubtful degree, to property left in trust for convents?—Yes; for instance, if it were intended to establish a school, which of course would be a charitable trust, with a special provision that that school should be under the management of nuns, which is a very common mode of managing Roman Catholic schools, I take it that there would be a very serious question whether the trust for the school would not be vitiated by the association with it of a trust that that school should be managed by nuns. It is a question, which it is sufficient to say is open to doubt. I would not take upon myself to say that as a matter of law; the court would regard the trust for the school and disregard the other part of it.

330. It is a doubtful question in law at present?—Yes.

331. Mr. *Gregory.*] You assume the illegality of nuns, do you not?—No; I assume their doubtful legality, and I say that the existence of the doubt, practically, is a serious question.

332. Mr. *Matthews.*] Upon the general question, in your view, is a convent *simpliciter* a charity, if it is not connected either with a school, or with a hospital, or with some other object, clearly charitable?—Clearly not; it might happen that a convent had so completely and exclusively charitable objects, as the objects of the life of its inmates, that a bequest to them might be equivalent to a charitable bequest for those objects; but a convent *per se* is clearly not the subject of any charity.

333. And although the rules of a convent may prescribe that the inmates, or the members of the order, should devote themselves to good works, that would not *per se* make a bequest for their benefit and maintenance a charitable purpose?—I think not; I think they would consider that a trust to maintain such persons did not become a charitable trust merely because they were in the habit of doing good works. If they could make out that a certain convent was completely dedicated to the maintenance of a particular school, so that the thing had a definite character attached to it, then it is possible to construe a bequest to that convent as equivalent to a bequest to the school.

334. In like manner a bequest to a community of monks would not *per se* be a charitable trust?—Certainly not.

335. It might happen that some of the individuals in a monastery might fulfil parochial duties which are in the nature of charitable functions, and yet the monastery itself would not be a charitable institution?—Yes, if there were a a trust to maintain priests performing public worship in any particular localities, that would be a perfectly good charitable trust; if they were to be monks, it would be a different thing.

336. Supposing a bequest for the benefit of a house of monks, say of the Dominican Order, that would not become a charitable trust by reason of certain of those monks occasionally serving a mission or saying mass for the benefit of the people?—No.

337. Therefore in that way very few trusts in favour of monastic or conventual institutions are the subject of registration under the Charitable Trusts Act at all?—I should doubt it very much.

338. Is there any distinction between Roman Catholic charities and Protestant charities now, as far as jurisdiction, inspection, and control are concerned?—None whatever.

338*. Is it within your knowledge that in the passing of that Act it was very seriously modified in Parliament?—I believe very seriously.

339. The original intention of the Act was to save all purposes which were consistent with the usage and doctrine of the Church of Rome?—I believe so.

340. And it was modified in its passage through Parliament so as still to leave the law of superstitious uses unaltered?—Yes.

341. And therefore it struck at that portion of charitable trusts which is generally dearest to the founder?—I will not say what is dearest to the founder, but it certainly does strike at all trusts of that sort.

342. Do you know as a matter of fact whether or not the property of conventual and monastic institutions is habitually held without a declaration of trust?—I believe it be so, I believe it to be simply conveyed as though it were beneficially owned by them to two or three or more members of the community, and so from one to another, with no trusts declared.

343. Either express or implied?—No trusts declared. Whether there are implied trusts I think probably would depend upon the facts of each particular case.

344. *Chairman.*] What is the nature of the conveyance that people of that sort would take, because they are not to be trustees, are they to be joint tenants?—I take it that generally speaking if a community of monks buy a house for their residence, they would cause it to be purchased in the name of, and conveyed to the Reverend Messrs. A., B., and C., some three or more in number, without any declaration of trust, or anything on the face of the deed, to show that those three persons were not the owners.

345. Mr. *Matthews.*] In law, I presume that those three persons would be the owners?—I should like before I answered that question, to have it determined who was the owner of the purchase-money, because I take it that the Court of Chancery would hold that there was a resulting trust following the ownership of the purchase-money in many cases.

346. Mr. *Pemberton.*] In that view they would be assumed to be the absolute owners of it, would they not?—Yes, as joint tenants; I think I have seen such deeds, in which the phrase has been introduced as joint tenants, as well in equity as in law.

347. That would be to prevent that question arising?—It would be to prevent their title from being embarrassed by questions as to the possible existence of any trust.

348. Mr. *Matthews.*] Is it within your professional knowledge that properties are transferred by successive deeds from one set of trustees to another, and so on from time to time?—I have seen sufficient instances to induce me to think that that is the usual practice.

349. Then it is conveyed exactly in the way in which

which any other property held by three or four gentlemen in common is conveyed?—Yes, with the same stamp duty and the same liabilities to taxation in every respect.

350. With this further inconvenience, I presume, that the property would be liable to their creditors if they happened to become bankrupt, for instance, or the survivor of them became bankrupt?—It would give rise to a question exactly the same as Miss Saurin raised when she filed a bill, and where it turned upon the question whether it was a trust or not.

351. You were concerned, were you not, in Miss Saurin's case?—Yes, in Chancery.

352. Her case in Chancery rested upon the supposition that there was no trust, and that she was a joint owner with all the other members of the community in whom the property was vested?—No, I think she happened to be one of them in the case of some of the property that belonged to the convent, but I think she asserted that it was all common property, and she desired to have it dissolved and wound up.

353. That is, assuming there was no trust?—No, not quite so.

354. Did she not claim to have it sold and partitioned?—Yes, she claimed it with respect to property in which her name did not occur, as well as that where it occurred.

355. She claimed to have the property dealt with upon the footing of a partnership and divided?—Yes, but I do not know that that case has much relevancy.

356. Has this mode of holding property by members of monastic orders operated to their prejudice?—I should think so; I have heard of one instance, but I do not know it of my own knowledge, in which advantage was taken to make a very heavy demand upon certain monks, which they were obliged to pay for the protection of their property. Somebody had an interest, or claimed an interest in the property; they considered themselves defenceless by reason of the illegality of their position; but I cannot give the details.

357. *Chairman.*] Could you not tell us a little more about it; how could they be defenceless?—It was not possible for them to contest the point; a claim was made, which if their institution had been of a legal character, they could have resisted by saying you have left this institution, and you have thereby lost all your rights to this property. If they had asserted that, it would have been necessary to show what the character of the institution was, and that would have been at once exposing its illegality. In short, as matters now stand, I take it that if any monk were to leave his convent, and were to make a demand exactly such as Miss Saurin made, to have the entire property of the institution sold, and to have his share paid over to him, there would be this difficulty in resisting that demand, that it would not be competent to show that according to the rules of the institution a person thus leaving lost all interest in the property, just as a member of a club, leaving the club, lost all interest in the property of the club; it would not be competent to show that, because the whole thing would be entirely illegal.

358. They could not show that without disclosing the illegality?—Precisely so; in fact they would subject themselves to penal consequences by the very fact of their bringing forward that portion of their rules, which would be at the root of the whole, that they were bound by vows. Nobody could advise them to go into court.

359. And would they not be equally defenceless against any malversation by one of the nominal owners of the property who did not administer it for the benefit of the community?—Perfectly so, I should think.

360. They would not have the means, would they, of going into the Court of Chancery and getting a trust enforced, if there were such a trust?—I think it would be a very serious question; I do not mean to say that there would be no trust affecting their property, but it would be a trust that you would get at by the doctrine of a resulting trust. You would have to show to whom it belonged before.

361. When you had declared it a resulting trust, it would be a void trust?—You must bear in mind that a good deal of their property is brought in by themselves. Supposing six or eight monks to contribute property which was their patrimony, I take it that that trust would result to them as the donors; in such a case as that they might relieve themselves from the difficulty perhaps.

362. Of course the community would be entitled when the donors of the property were no longer alive?—No doubt.

363. In effecting mortgages this state of the law renders the position of those institutions unfavourable, does it not?—Yes, I have known a case of a body of monks who desired to mortgage the house that they lived in, and some questions were asked about whether there was any trust, and it was impossible to carry out the transaction. I forget whether they were going to sell it or mortgage it, but it was impossible to carry out the transaction.

364. In consequence of those penal enactments?—Yes; in consequence of those penal enactments. My advice to them was, you cannot possibly state what the trust is for the reason that it is a trust for an illegal institution.

365. Mr. *Matthews.*] Then, in your judgment, do those enactments operate harshly and prejudicially upon those institutions?—Yes.

366. Do you know in what way, or from what sources they derive their chief support?—I should say that with respect to monks in a monastery a large proportion of their maintenance is derived from the fact that they serve particular Roman Catholic parish churches, and that the ordinary contributions of the congregations that attend those churches maintain them.

367. They do a vast deal of missionary work, do they not?—Yes.

368. You mean that an individual is appropriated to a particular mission, or to serve a mission?—There are particular parishes which are allocated to particular monasteries. There are particular missions, generally speaking the older missions in the country, which are served by isolated monks living out of community, and then there is a great deal of valuable missionary work done by monks who go and preach a mission at a particular parish, or take for a time the parish

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duty of a priest of that particular parish. In all those three ways they contribute greatly to the missionary work which is done amongst Roman Catholics in England.

369. Do they also derive any resources from schools by teaching?—Yes; some of them are teaching orders and keep schools; and, no doubt, they are some of the highest class schools in the country, and very likely profitable schools; but of that I can give you no information.

370. Is there anything else that you wish to add upon that subject?—I think not.

371. Mr. *Jessel.*] Assuming that at the time of the statute of the 31st of Geo. 3, there was any illegality about convents, was not it a statutory illegality?—There is an old statute to which my attention has lately been directed, the 23rd of Henry 8, chapter 10, which I believe did constitute some such statutory illegality; but I am not prepared to say whether there is any statutory illegality excepting that.

372. What I mean is this: by the old law convents were legal enough; therefore, if they were illegal at all, they must have been made illegal by some statute since the Reformation?—Things which, according to the views of the common law entertained by people who lived before the Reformation, were parts of common law, are now, by a sort of legal fiction, no longer part of common law. For instance, I take it that the Roman Catholic religion was legal enough, according to common law, before the Reformation, but it ceased in the eyes of lawyers to be legal, according to common law.

373. As a consequence of certain statutory enactments, but not *ab initio*?—Perhaps so; I have not been able to follow up what I may call the antiquarian part of the subject with care.

374. Has not your attention been called to this, that all the penal statutes, as far as they were known, with the exception of this Statute of Hen. 8, have been repealed?—I presume that that was the intention. There have been two repealing enactments; the one which I mentioned, the 9 & 10 Vict., and the other was the 7 & 8 Vict. c. 102; and they each abolish a very long string of enactments, but I have not been able to see that either of them repealed anything touching monasteries and convents; and the only operation of any one of them upon this matter is, that it would appear that the 17th section is excepted from the repeal of the 31 Geo. 3.

375. What I mean is this, are you aware of any Statute whatever except this one of Henry the 8th now existing, not repealed, which could make convents illegal?—No, I am not.

376. The Statute of Henry the Eighth, which we commonly call the Mortmain Act, is merely an Act for the conveyance of land?—At that time, I take it that, generally speaking, the convents were corporations, and the general operation of that Act would strike at the conveyance to a corporation; I do not mean to say that it would be limited to that.

377. Mr. *Matthews.*] But the enactment expressly includes communities which are not corporations?—I was not aware of it.

378. Mr. *Jessel.*] The object of that Act, as I understand, was this, to apply the same Mortmain laws to the *quasi* corporations which were also applicable to strict corporations?—Very possibly.

379. That is an Act which of course does not apply to convents, *quâ* convents, but to anything of that nature?—Just so; I suppose that it would be intended to apply to the vesting of property in any body which, though not strictly a corporation, had the same want of power of alienation.

380. And the same sort of perpetual succession?—Yes; I take it that in those trusts for monasteries and convents they had not then power to sell the property.

381. What I was driving at was this, that the object of that Act being to prevent the lord being cheated out of his fine, it would not apply to an ordinary conveyance to trustees for convents?—I should think not.

382. Passing, then, to the 31 Geo. 3, does not that Act merely except convents, so as to limit its operation?—I think so.

383. It does not impose any new disability on convents?—No, it says, "Nothing in this Act shall make it lawful."

384. Assuming that by reason of recent legislation, there is nothing illegal in a convent, there would be nothing in that Act to make it so?—I think there would not.

385. Will you tell me why you say that a convent is not a charity?—Take first a most simple and obvious case, say the case of a convent containing nuns of a peculiarly contemplative order. I take it that it is essential to a thing being a charity in the legal acceptation of the term, that it should be either within that statute of Elizabeth, which has been referred to or *ejusdem generis*; and broadly, I take it, that nothing would be a charity which would not be either for the maintenance of religion, for the public worship of some lawful religion, or for education, or for objects of public utility, such as a botanical garden, or the like, or strictly eleemosynary. I take it that you will find that almost every charity comes within one or other of those four heads; and with respect to the case of a convent of nuns of a contemplative order, such as I instanced, it is perfectly evident that they do not in any instance do anything coming within any one of those heads. If it happened that the nuns were themselves so poor as to be the objects of charity, a bequest to them might to that extent be a charitable gift, but not in any other way.

386. I suppose you will admit that a gift or bequest for the propagation or the furtherance of any lawful religion would be a charitable gift or bequest?—Clearly, even so far as a bequest to propagate the Joanna Southcote religion.

387. If you remember, in West *v.* Shuttleworth case, there was a gift there which was upheld upon that very ground?—Yes.

388. Would it not be charitable to give or bequeath property for the furtherance or propagation of a lawful religion in a particular manner recognised by that religion as being the proper mode of furthering or propagating the same?—Yes, I should think so.

389. Assuming that the Catholic religion recognises

cognises as a proper mode of extending the religious association of men or women together, bound by vows and obliged to say a certain number of prayers, and to devote a certain time to what you call contemplation or some kind of devotion, and money or property was left or given for the purpose of founding such an institution, would not that be a charity?—I think not. I think that when I say that a trust to propagate the Roman Catholic religion would be, as undoubtedly it would be, a valid trust, it must be taken with this qualification, that it must be something that had direct reference to the propagation of religion. Now, excepting so far as their prayers might be considered to have an influence in the propagation of the Roman Catholic religion, and no doubt they make it an object of their prayers, they do not in the slightest degree profess to propagate the Roman Catholic religion; and I take it that the influence of their prayers would be far beyond the cognisance of the law. Therefore I should have no hesitation whatever in saying that a convent of nuns of a contemplative order certainly would not be in any way what the law could recognise as an instrument in the propagation of the Roman Catholic religion. I think that the propagation of religion, in order to be the subject of a trust, must be for the benefit of the community at large in a definite way. I do not think that the increase of devotion amongst certain particular persons, and the cultivation of their own private devotion, could be considered as rendering such a bequest a trust for any charitable purpose.

390. You think that a trust to induce persons to devote themselves to religious exercises would not be a trust for promoting or propagating religion under the circumstances which you have named?—No, I think not; a trust so framed as to induce persons to enter a convent would, in my opinion, not be, in any fair acceptation of the phrase, a trust for the maintenance of the Roman Catholic religion. I think that a trust for the maintenance of the Roman Catholic religion would be a charitable trust only so far as it meant its maintenance amongst Roman Catholics in general.

391. *Chairman.*] Do you hold a trust for the maintenance of the Roman Catholic religion to be an illegal trust?—No, quite legal.

392. Mr. *Jessel.*] You would distinguish between a trust for a seminary of secular priests and a trust for a seminary of regular priests?—Yes, certainly; a trust for a seminary of secular priests would be perfectly legal; but a trust which expressed upon the face of it that it was intended to educate men bound by vows would be completely illegal as tending to increase in number a body of men that the Legislature has expressly struck at.

393. My question assumes that the Statute of 10 Geo. 4 were out of question for a moment, and then would it be a charity?—I think that a trust for the maintenance of regular priests, probably would be legal, upon the ground that priests by virtue of their office, are bound to perform the functions of their religion.

394. If all monks were preaching friars, persons bound by their vows to preach and to teach religion, would not a trust for their maintenance, come within the definition of a charity?—It might be so.

395. If that is so, do you consider that the Act of 1860, which extends to all Roman Catholic charities, would necessarily exclude such an order of friars; will you look at the second section of the Act?—That Act of 1860 contains an express saving of the enactments of the Emancipation Act.

396. They are perfectly saved, but I am speaking of the second section as regards charities, as far as they are charities?—It says, "No proceedings at law or in equity shall be brought or instituted on account or in respect of any dealings, transactions, matters, or things with, or concerning any real or personal estate subject to any use, trust, gift, foundation, or disposition for any charity relating to or connected with the Roman Catholic religion which took place prior to the passing of the Act of the second and third years of the reign of King William 4th." If it had stood without the saving clause I think it might fairly have been contended that it legalised them.

397. Why would it legalise all convents except those which you have described as of a peculiarly contemplative character?—You asked me with respect to the case of a trust to maintain monks or preaching friars. I should think, though I do not express a confident opinion about it, that, apart from the statute, a trust for preaching friars would be probably a charitable trust, but there is a wide interval between that case and the other extreme case that I put first, namely, a purely contemplative order. There is a great variety of different works done, and I should think that with respect to a great number of them, it would be extremely difficult to maintain their character as charities.

398. What I understand you to mean is this, that where the nuns would have active duties to perform, be it in the practice of teaching religion or of giving education, not necessarily religious, or of attending the sick or something of that kind, as a part of their ordinary duties, they would be charities connected with the Roman Catholic religion, but in other cases they would not?—They would or might be.

399. *Chairman.*] Did I understand from you that you were of opinion that the conveyance of property to convents is quite legal?—The conveyance of property to trustees for convents is legal, assuming the convents to be legal.

400. They are not necessarily in practice superstitious uses?—No.

401. There is nothing illegal in them?—Nothing at all in their practices.

402. Does the legality of property being conveyed to them depend upon the purposes for which they are associated?—That is a question upon which I began by reserving my opinion. If convents, as such, are rendered illegal, then the conveyance to them would participate in that illegality.

403. But there is nothing in their having a religious purpose which should disqualify them from holding property?—Nothing that I am aware of, certainly.

404. In fact if property was conveyed to them

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by name, it could be held, though it be in land, naming the person to whom it was assigned?—There would be no difficulty in that; if you conveyed it to certain particular sisters or to all the sisters in the community, there would be no difficulty in doing so; only if you declared a trust for the convent, that would raise the question which I began by referring to.

405. But you could almost convey property in perpetuity in that way, always supplying those that failed?—You could keep up a succession of trustees, no doubt, but it must be observed that they must have along with that, the power of alienation by law.

406. That may be evaded if they are assumed to be joint tenants?—Evaded by not selling, but not in any other way.

407. But taking means that it should not be sold by constantly supplying the places of any deceased tenant?—Yes; but I take it that if there are a series of trustees kept up in that way, it is understood that they hold no trust for the convent?—Nobody has a right to enquire into it; they hold their property as anybody else does, by a deed conveying it to them by name?—Quite so.

408. Nobody has a right to inquire into it, nor have the Charity Commissioners any jurisdiction?—Not unless they are charities.

Friday, 27th May 1870.

Mr. Bourke.
Mr. Cogan.
Mr. George Gregory.
Mr. Howes.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Mr. O'Reilly.
Sir John Ogilvy.
Mr. Pease.
Mr. Sherlock.
Mr. John Gilbert Talbot.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. GEORGE MATTHEWS ARNOLD, called in; and Examined.

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409. Mr. *Matthews.*] I BELIEVE you are a Solicitor?—I am.

410. Have you had considerable experience with reference to Roman Catholic conventual and monastic institutions?—Yes; and particularly for the last 10 years.

411. Will you be good enough to state the changes which the law has undergone with reference to the legality of monasteries and convents?—I apprehend that both monasteries and convents were perfectly legal corporations by the common law of this land; there was a tenure known to the common law, which was expressly used for the purpose of their holding lands, known by the name of Frankalmoign or free alms. Upon the members becoming professed, and taking the vows which constituted membership in those bodies, their civil rights ceased. It was the custom for such members thereupon to make their wills, and otherwise to act as persons are supposed to do in view of their natural death. The tenure of free alms was a tenure which was not only known to the law, but was approved and favoured by it, and was the subject of special advantages. For instance, a man who received land by descent had the power of alienating into Frankalmoign without the consent of his heirs. In process of time after the Conquest, the excessively burdensome tenure known as knights' service, having engrossed the greater part of the landed property of the kingdom, the tenure of free alms became obnoxious to, or interfered with, the rights of the feudal Lords in respect of wards, reliefs, and marriages, which constituted a great part of the profits of knight service; and so we find that the practice of endowing convents and monasteries as spiritual corporations, began to be checked by the statutes known as the Statutes of Mortmain, which statutes were afterwards, in the reign of Richard II., extended also to lay incorporations. That state of things continued with reference to monasteries and convents, until the change of religion at the Reformation, when by the extinction practically of the power of professing the Roman Catholic religion, these institutions and their members seem to have been dispersed, though I do not find either that vows were declared to be illegal, or that the status of a religious person as a monk or nun was destroyed in the eye of the law. I am confirmed somewhat in that view, by noticing that the second statute, 31 Hen. 8, c. 13, which abolished the larger monasteries in this country, is followed by another Act of the same year, c. 14, in which one of the things maintained by Henry VIII., in his high-handed way, is the indefectibility of vows taken.

412. Will you refer to the statute?—The 31 Hen. 8, c. 13; it will be the 4th Article, "Vows of widowhood and chastity ought to be observed by the law of God."

413. What is your view of the law since the reformation on the subject of the illegality of convents or monasteries?—My view, with reference to the legality or illegality of monasteries and convents, is quite in accordance with those which, with the higher authority of Mr. Bagshawe, were expressed to this Committee the other day at some length; that taking the 17th section of 31 Geo. 3, c. 32, in connection with the following legislation, the status of a nun or a member of a religious community of women at the present time is extremely doubtful as to its legality.

414. And with regard to a monk?—With regard to a monk, that the condition of illegality may be represented as the same as in the case of a nun, *plus* the clauses in the Roman Catholic Emancipation Act, the 10 Geo. 4, c. 7, s. 28 and following.

415. Now, taking the provisions as to enrolment, will you shortly state the provisions as to enrolment, which you consider at all applicable to conventual and monastic institutions?—The 9 Geo. 2, c. 36, which is the statute to which you probably refer, which is now popularly known as the Mortmain Act, was in no sort directed against institutions such as those upon which the Committee is now making inquiry. That Act passed at a period when the Roman Catholic religion was well nigh extinct as to its profession in this country, and was directed against institutions of a Protestant character.

416. There is a provision as to enrolment in the Roman Catholic Charities Act, 1860, is there not?—Yes.

417. We have been told that the fact is that it only enables the existing Roman Catholic charities to be enrolled within 12 months after

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the passing of that Act?—Precisely; it limited that period.

418. As a matter of fact, within your professional knowledge, has the property of Roman Catholic monasteries or convents in this country been enrolled under either of those Acts?—I think not.

419. Why not?—In the first place because the statute in question relates to charities, and these institutions are not charities according to my judgment; and secondly, because if they were charities, the enrolment of such a deed (which is tantamount to the publicity of the deed, for when a deed is enrolled in the Court of Chancery any opponent of the foundation may go, and for a few shillings obtain a copy of it) would lay it open to attack on the part of persons who were opposed to such an institution; and these institutions are so doubtful as to their legality as to render it highly imprudent for any solicitor (and these are questions which really devolve upon solicitors in point of practice, subject to the opinion of their conveyancers) to enrol them, or in other words to make them public.

420. With respect to any trust for the maintenance and support of monks, I presume you would be of opinion that there is no doubt that no enrolment of such a deed could take place with safety?—It could not with any reasonable prudence.

421. Are you acquainted with the case of Sims *v.* Quinlan, decided by the Master of the Rolls in Ireland?—Yes; that is a case showing that the operation of the penal clauses in the Roman Catholic Emancipation Act, have their full force, down to the present day.

422. In that case there was a petition filed by a residuary legatee, I see, for the administration of the testator's assets?—Yes.

423. A certain Catholic cleryman claimed legacies bequeathed to him; was not that so?—Yes; the penal clauses of the Act were especially the subject of the adjudication.

424. These were the bequests: "I bequeath 500 *l.* to the Reverend Robert White and the Reverend Bartholomew Thomas Russell, of St. Saviour's Roman Catholic Church, Dublin, or the survivor of them, to be applied as they shall deem best for the maintenance and education of two priests of the order of St. Dominick, in Ireland;" and there was also this other bequest: "I bequeath 500 *l.* to the Reverend Patrick Thomas Conway, of St. Mary's Priory, Cork, Roman Catholic clergyman;" both those bequests were held void by the Master of the Rolls in Ireland, were they not?—Yes.

425. I see that the marginal note of the case says, that first, "The bequest was void as contrary to the policy of the Roman Catholic Relief Act, the 10 Geo. 4, c. 7"?—Yes, the penal sections of it.

426. It was secondly held that "The bequest was for a general charitable purpose, and should be carried out *cy-près* under the sign manual," was it not?—Yes.

427. As to the second legacy in favour of the Reverend Mr. Conway of St. Mary's Priory, Cork, it was held, "That the bequest was void as contrary to the policy of the 10 Geo. 4, c. 7, and that being confined to a particular charitable purpose it could not be carried out *cy-près*"?—Yes.

428. Therefore, that legacy went to Mr. Sims, the plaintiff, as residuary legatee?—Yes.

429. I find this passage in the judgment of the Master of the Rolls: "I am of opinion, having regard to the sections of the said statute of the 10 Geo. 4, c. 7, to which I have referred, that any bequest for the education and maintenance of regular priests of an order bound by monastic vows, who have become such since the passing of the statute, is invalid, being contrary to the policy of the law. There is, however, no express provision in the Act making the bequest void. I have already stated, that I do not consider it to be a reasonable construction of the bequest, having regard to the date of the will (15th November 1861), that it was to be applied exclusively for the benefit of the monks, who were such on the 23rd of April 1829, the date on which the Act came into operation; if not, the bequest was void. If the bequest was void, as being contrary to the policy of the law, but not void by the express provision of the statute, the next question which arises is, whether the bequest should be carried out *cy-près*"; and then he goes on to discuss that question, and decides it as I have stated?—Yes.

430. That law, I presume, would be applicable to any trust for a monastery in England?—It would at the present time.

431. An honourable Member informs me that that was carried to appeal in Ireland; are you aware of that?—It was, and affirmed.

432. Mr. *Sherlock.*] Both the bequests were held to be void?—I hardly recollect whether the doctrine of *cy-près* was held applicable to both, but for the purpose of this inquiry, and the judicial construction of those restraining and penal clauses, the decision of the Master of the Rolls was affirmed.

433. Mr. *Matthews.*] It was held in error by the Master of the Rolls that the trust was invalid?—Yes; that it perpetuated an illegal community of men. The Court of Appeal held both bequests totally void by the operation of the Act.

434. You said that you concurred in Mr. Bagshawe's opinion, that monasteries and convents are not charities in the legal sense of the word. Will you give to the Committee any reasons for that opinion that occur to you?—In all such societies as we designate monasteries and convents, we find that there is a power of selling, realising, and distributing the religious house itself, which I apprehend is itself inconsistent with the maintenance of the endowment which a charity presupposes; and the control and management of the property is inconsistent with there being any perpetuation of the body. It is vested, so far as real estate is concerned, ordinarily in two or three persons, who hold it absolutely as their own, without the expression of any trusts of an enforceable kind. I apprehend that it is something like that state of things which exists where a testator gives property to a friend, and says, "Do with it absolutely as you like; I carefully abstain from imposing any trust upon you, so as not to fetter your control," which is a perfectly recognised state of things in the eye of the law.

435. We have heard of a certain number of deeds having been enrolled shortly after the passing of the Act of 1860?—Yes.

436. Is it within your knowledge whether or not any of those deeds relate to property of which monasteries or convents enjoyed the benefit?—I think not; I myself enrolled in 1861, under that Act of 1860, a number of deeds. I recollect that

that I paid the Rolls Office about 100 *l.* for fees (though the fees are but a shilling a folio), for one bundle of deeds which I left in order to take advantage of the alteration of the law, that was with reference to such deeds as admitted of being without any imprudence placed on the roll of the Court of Chancery.

437. Were the deeds for the benefit of Roman Catholic missions, and things of that sort?—For Roman Catholic charities, where the conventual and monastic element was wanting.

438. As far as you know, no deed with a trust in favour of a monastic or conventual institution was enrolled at all?—No; it could not be with any prudence.

439. You, as a solicitor, advising your clients, the monasteries and convents, would not have advised them to enrol those deeds?—I consider that I should have been justly responsible to them for breach of duty, if I had committed such an act, and liable for damages if they had not been themselves outside the law.

440. How in your professional experience is the property held, of which monasteries and convents enjoy the benefit?—If it is fee-simple property, it is generally vested in three or four persons, either members of the institution or not, as joint tenants in fee-simple.

441. With trusts declared or not?—Without any trusts declared.

442. And how in practice is that property transmitted from hand to hand?—In the ordinary way known by the law; if one of the joint tenants should die, a good title would be shown by the concurrence in a deed of purchase of the survivors.

443. As the lives of the trustees drop, is it the practice to replace them by the lives of other members of the community?—It is.

444. And is there any conveyance executed?—There is a conveyance executed to the new and continuing owners and holders.

445. And, in like manner, without any declaration of trusts?—In like manner, without any declaration of trusts.

446. Is that mode of holding property a disadvantageous one for these institutions?—It raises questions occasionally, and in practice, in the event of a purchase by a railway company of part of the religious building, and a compulsory examination of title, it creates difficulties.

447. Do you mean that you have to satisfy the purchasers as to whether there are any equitable claims upon that property?—Yes; they are apt to imagine that there are trusts concealed, but which it is their duty to inquire into.

448. Is the property enjoyed by monasteries and convents in England for the most part real or personal property?—My friend, Mr. Harting, has made that the subject of particular investigation, and I believe that he will attend and inform the Committee.

449. You have said nothing at present about the law of superstitious uses; does that law affect in any way the status of monasteries and convents, and of their property?—It is another element of hardship and uncertainty. Under many Acts of Parliament, and especially those in the reign of George I.; for instance, a superstitious use seems to be almost synonymous with a Popish use, but the judges have endeavoured to give some more specific meaning to the words "superstitious use," and this seems to have culminated in the distinction in regard to prayers for the dead whether there is the belief or not that the soul of the person who is dead benefits by those prayers. In the case that was mentioned the other day prayers for the dead seem to have been held valid because no particular benefit was supposed to have accrued to the person prayed for.

450. Are you referring to Mitchell's case?—Yes.

451. In that case my impression is, that the decision was that our prayer, which they alleged to be a prayer for the dead, was not so in the judgment of the Master of the Rolls?—It was on an anniversary of the death. I think there is an *obitur dictum* of the Master of the Rolls in which he extended that, by saying that he did not think it would be illegal for members of the Established Church, even should their prayers be said on a particular day, being the anniversary of the founder, it not being under the notion that his soul would derive any benefit from them.

452. Mr. Erle cited to us the decision of Sir Herbert Jenner Fust, in which he implied that prayers for the dead were not illegal?—Yes.

453. On the other hand, masses for the dead have been held illegal quite in recent times?—Yes.

454. There was a decision on that question in Mr. Blundel's trusts a few years ago?—Yes.

455. Heath and Chapman is also a case of masses for the dead?—Yes; the gifts for requiems and masses for the dead were held superstitious and void by the vice chancellor.

456. The case of Blundel's trust is in the year 1866?—Yes.

457. *Re* Blundel was, I think, also a trust for masses for the founder's soul?—Yes.

458. And the trust for the mass was held to invalidate the whole bequest?—Yes. You do not find much ground for the difference in principle, because a school where the doctrine of purgatory is inculcated is lawful under 2 & 3 Will. 4, c. 115, but the doctrine itself seems still to be obnoxious to the law of the land.

459. In the case of a community of monks or nuns, is there an implied duty upon them to pray for, and in the case of monks to say masses for, the soul of any donor who may benefit them?—Yes.

460. So that that implied trust would apply to all property left for their benefit?—It would.

461. It has been suggested that the Roman Catholic Charities Act of 1860 by its first section gives adequate relief to Roman Catholics against this law of superstitious uses; is that so?—I think not; I think that the provision is quite an illusory one; and I am confirmed in that by inquiries which I have made, and I find no instance in which the section has been availed of.

462. The only way in which the section could be made use of is by getting the superstitious part of the trust delared void, and the funds apportioned to some other use, is it not?—Yes; and I think if you look at the words of the section, you will see that the superstitious use must be connected with the same estate in respect of which there is a lawful use.

463. The words are these: "No existing or future gift or disposition of real or personal estate upon any lawful charitable trust for the exclusive benefit of persons professing the Roman Catholic religion, shall be invalidated by reason only that the same estate has been or shall be also subjected to any trust or provision deemed to be superstitious,

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perstitious, or otherwise prohibited by the laws affecting persons professing the same religion, but in every such case it shall be lawful for the High Court of Chancery" and so on?—It is not often that one and the same property would be subjected to superstitious and lawful uses.

464. You say that you have never heard of a case in which that apportionment has been made? No; I inquired also of Mr. Bagshawe on the last day the Committee met, and he had never heard of a case.

465. Do you see any good reason why property should not be allowed to be appropriated to uses that are considered pious, and in accordance with the tenets of the Roman Catholic Church?—Certainly not; I can see no adequate reason.

466. You have spoken of the way in which property is held in trust for the benefit of monasteries and convents; can you tell the Committee whether there is any general practice prevailing with regard to the mode of dealing with the private property of the members of those institutions?—Before members of those institutions become permanently members, that is, before what are called final vows, the taking of which involves a probationary interval ranging at different institutions from one to nine or ten years, they execute a will, and arrange their estate and their expectancies as far as they know them freely.

467. When you say "arrange," do you mean that they provide to what persons that estate should go?—Yes, and give effect to the arrangement.

468. *Chairman.*] Did you say that they do that by will only?—By will generally, because a will has the advantage of speaking from the death of the person.

469. Mr. *Matthews.*] Then supposing property to belong to a member of a monastery or convent, at the time of his or her profession, in what way would the income or the corpus of the property be dealt with in the interval between their entering the community and their death?—During the interval between the final vows and death, property which comes to a member would be considered as applicable to the interests of the community

470. Living of course in the community, they would share whatever income they had with the other members of that community?—Yes.

471. At their death of course the law would deal in the usual way with whatever property had come to them, either before their profession or after their profession?—Yes.

472. I understand, as the result of your experience, that these institutions have not been able in any way to avail themselves of any assistance or benefit from the action of the Charity Commissioners?—No; they and the Charity Commissioners have been kept asunder by the state of things, and the difficulties which the law has imposed upon either their applying to the Charity Commissioners or the Charity Commissioners giving them any directions. The first thing which the Charity Commissioners would do would probably be to set aside the whole of their arrangements.

473. Assuming that it pleased Parliament to repeal the penal and prohibitory enactments against monasteries and convents, do you think that that alteration of the law would be satisfactory to them?—Yes, I think it would.

474. Do you think that they would be content with that without asking for any special legislation for their benefit?—Yes.

475. They would simply ask to be let alone?—They ask to be let alone and they would trust to that increasing toleration of the day which is shown by the legislation which, from time to time, Parliament, in its wisdom, has made.

476. Let alone by the law, that is to say?—Neither helped nor hindered by any special legislation making them to differ from Her Majesty's other subjects.

477. I understand that you think that the repeal of the penal and prohibitory enactments would be all that these institutions would ask?—I think that is all that they could fairly ask.

478. *Chairman.*] But you want to repeal any legal disqualification on the part of these institutions in the way of their taking property?—Precisely.

479. Mr. *Matthews.*] Hardly that, because institutions cannot by the law of England take property unless they are corporate?—Yes, but they do not ask for a law incorporating them, but simply for relief from penalty and disability.

480. That they may be allowed to deal with property without the perils that at present hang over their heads?—Yes.

481. As with private families or the members of a club?—Yes.

482. Or as the Benchers of Lincoln's Inn or the Temple?—Yes.

483. Have you anything to add to your evidence?—No.

484. *Chairman.*] You heard what Mr. Erle, the Chief Commissioner of the Charity Commission, stated here on Tuesday?—I did.

485. You do not quite agree in his view of the operation of the law of 1860, I think. You state that it was not at all available for Roman Catholic charities, and that you have not benefited by it in any way?—I think he said that he only knew of one application himself, which was with reference to a school at St. Leonards.

486. But I think you have stated that it would not be prudent on the part of any solicitor to advise his clients to avail themselves of the Act of 1860 together with that of 1853; whereas, as I understood the Commissioner, he stated that he did not know why Catholics had not availed themselves of it, inasmuch as unless the charities were for an illegal purpose there was nothing to distinguish them from any Protestant charities or any other charities in the country?—Confidence in these matters, it must be remembered, is the growth of time. We have had registration of Catholic estates and property before; in the reign of George I., 1 Geo. 1, c. 55, it was compulsory for every Catholic, on attaining 21, to register in order that two-thirds should be at once confiscated. Those enactments leave their impress, and they make the descendants cautious in the matter of registration and enrolment; but I am of opinion that the difficulties of the question, and the doubts with reference to monastic and conventual charities, are quite sufficient to render it incompetent for a prudent person to approach the Charity Commission on the subject.

487. I thought you applied it to any bequest or gift for any charitable purpose; there may be that without distinct reference to a monastic institution?—Yes, applications have been made; indeed, I have myself applied to the Charity Commissioners with reference to Catholic charities not of a monastic or conventual kind; but the

the date of that Act is not yet very remote, and no practice seems to have grown up on the subject.

488. But is that the reason which you assign why they have not availed themselves of that Act, or why at first there were so many deeds enrolled, and then they ceased entirely to be enrolled?—I enrol deeds nearly every month in Catholic charities, upon the legality of which in the eye of the law there is no doubt. For instance, if a church is built we, as a matter of ordinary course, not only enrol the deed now, but we set out all the trusts, which enables the Charity Commissioners who have access to the records to see what the trusts are which are impressed upon the particular church, the priest's house, and schools, and so on.

489. But the Charity Commissioner said that search had been made, and that no deeds, or, at least, very few indeed, had been found since the year 1862?—They made search, and found that there were very few declarations of trusts registered, if any. Now, my practice is to enrol all legal Catholic charity deeds, just the same as Protestant charity deeds.

490. I think he said that those 400 were so indefinite as to their purpose that they were unintelligible?—He did. That was for this reason, that the trusts would not appear upon them, and you could not enrol what was not existing upon parchment or paper.

491. But are we to infer, from what you have said, that in each of those cases the trusts would not bear investigation as regards the law?—No, I would hardly be supposed to say that.

492. But are we to infer that there was no declaration of trusts, and that they were only secret trusts?—In most cases there would be no declaration of trust, I should apprehend.

493. I think, in another part of your evidence, you said that it is the custom to convey the estate to individuals without a declaration of trust?—Yes; that is in the case of monasteries and convents, not in cases of ordinary charities.

494. Is that so, that the former are always distinguished from other charities?—Yes. If the site of a church which we call a mission were conveyed to-day, as a matter of course that would be enrolled in the Court of Chancery, and would come under the notice of the Charity Commissioners. That, however, may be more than is absolutely necessary, because by an Act of Parliament of 31 and 32 Vict. c. 44, there is an exemption from enrolment in the case of buildings for religious purposes and also buildings for purposes of art and science; but we do enrol.

495. There it would be no object to anybody to escape the supervision of the Charity Commissioners; but I assume that there are plenty of bequests or gifts which are not referable to monastic institutions, but which have something illegal or faulty in their purpose, which would make it an object not to declare the trust?—It is possible that it may be so.

496. We have had reference, I think, even to-day, to cases where the bequest was in order that the priest should pray for the soul of the donor?—Yes.

497. That is independent of any institution?—Yes; in such a case as that, if it was attached to the same property, the bad use might be rectified, and the good use maintained.

498. But what I wanted to learn from you was whether it was anything but the purpose of the gift that made it illegal?—No; I think it must be the purpose of the gift.

499. And the fact is that the illegality is confined to one or two purposes at present?—Yes.

500. It is in regard to this question of praying for the dead, or rather praying for the soul of the testator or donor?—Yes.

501. In all other respects the Catholic charities are as free from danger as the Protestant or any other?—Yes; excluding also monasteries and convents, if they be charities.

502. It seems possible that the convents may be charities; that again would depend upon the purpose for which the community was associated, would it not?—And the objects beyond themselves, perhaps, which they operated upon, such as school children and the sick.

503. We have heard of communities of women where they are purely contemplative, and have no charitable purpose; they would be excluded, would they not, from the jurisdiction of the Commissioners because they are not charitable institutions?—I should think that that would be incontestible.

504. We have heard also of convents that exist for the almost exclusive purpose of either teaching or tending the sick, and such institutions would be charitable in their purpose?—That would be in the nature of a charitable purpose.

505. Do you believe that any bequest or gift for that purpose would be illegal simply because it came into the hands of a convent, or of persons occupying a convent?—I should think that it would not, myself, but I could not say that it was free from doubt.

506. What would the doubt be founded upon; would it be upon the assumption that the existence of a convent is illegal?—And the implied obligation which exists between the members of a convent to do what in the eye of the law might be illegal, namely, to pray for the soul of the donor of the property or the benefactor of the institution.

507. Then how do you read the judgments that have been given in the courts? Is it where it is to be implied that it would be part of the duty of the devisee, or person who receives the gift, to do what is illegal, or only when the illegal act is specified in the gift?—I do not think that I rightly apprehend your question, which depends on the existence of an express or implied trust.

508. I think the judgments in the courts have left it rather uncertain whether to make a gift illegal, you must not specify something to be done that is illegal in itself; whereas, it does not follow merely from making a bequest to priests, or for the purpose of supporting a church, that it is necessary that they should do anything illegal; but I collect from your answer that you cannot give anything to the Catholic ministry without its involving something illegal to be done?—If mixed or real property, in the nature of a charity, was given to a person without any apparent, but with a real and even lawful trust, it would be competent for that trust to be set up, and the deed to be avoided under 9 Geo. 2.

509. But do you hold that bequests for the support of priests in any given place, or the maintenance of priests for the purpose of performing the service of their religion, are illegal at present?—No; I should think that after the Act of 2 & 3 Will. 4, c. 115, they would not be illegal, because that is a religious or charitable purpose under that Act.

510. I want

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510. I want to learn the extent of the disability under which Catholics are, and it seems to be confined to this particular purpose of praying for the dead, or praying for the soul of the donor, and I cannot find that there is anything else beyond that which distinguishes the Roman Catholic charities from any others?—It is very difficult indeed to ascertain that, because of the numerous statutes bearing upon Popish and superstitious uses; but I apprehend that since the Act of 2 & 3 Will. 4, c. 115, such a gift as that for a priest who ministers in the ordinary way of religion to a congregation, could not now be contended to be an unlawful charitable purpose.

510*. You would not be afraid of advising a client, therefore, to declare a trust for that purpose?—No, certainly not. The deeds relating to mission property are openly executed and enrolled now as a daily practice; I have one here which I could show you if you desired.

511. Would you think it imprudent in any other case but that of specifically praying for the soul of the donor, to advise your clients to make a declaration of trust, and to enrol the trust?—I should advise them not to make a declaration of trust in any case in which conventual or monastic purposes embraced part of the arrangement.

512. Then may I ask you whether you would not do that from the opinion which you entertain of the illegality, at present, of monastic institutions in themselves?—Yes, or the doubtful legality of them.

513. And you infer that from all the statutes being continued against them by the 10th of Geo. 4th?—No, from the Acts mentioned in the evidence of Mr. Bagshawe, the 31st of Geo. 3, c. 32, sect. 17, which saved the then state of the law against monks and nuns, the 9 & 10 Vict. c. 59, and the general legislation.

514. But as far as I understand the 10th of Geo. 4, that particular section which has been referred to, leaves every Act then existing in force against monastic institutions?—The 10th of Geo. 4, c. 7, created fresh disabilities.

515. Alluding, besides, to persons not belonging to any order?—It saved nuns, and added to monks new penalties.

516. Will you state what the new penalty is against monks?—The 28th section says, "And whereas Jesuits and members of other religious orders, communities or societies of the Church of Rome, bound by monastic or religious vows, are resident within the United Kingdom, and it is expedient to make provision for the gradual suppression and final prohibition of the same therein; be it therefore enacted that every Jesuit and every member of any other religious order, community, or society of the Church of Rome, bound by monastic or religious vows, who at the time of the commencement of this Act shall be within the United Kingdom, shall, within six calendar months after the commencement of this Act, deliver to the clerk of the peace of the county or place where such person shall reside, or to his deputy, a notice or statement in the form and containing the particulars required to be set forth in the schedule to this Act annexed, which notice or statement such clerk of the peace or his deputy shall preserve and register," under a penalty of 50 *l.* for every calendar month, and so forth. And then the next section is, "And be it further enacted, That if any Jesuit or member of any such religious order, community, or society, as aforesaid, shall, after the commencement of this Act, come into this realm, he shall be deemed and taken to be guilty of a misdemeanour, and being thereof lawfully convicted, shall be sentenced and ordered to be banished from the United Kingdom for the term of his natural life." The next section enables natural-born subjects, being Jesuits, to return into the kingdom and be registered. The next section gives the principal Secretaries of State power to grant licenses to Jesuits, &c., to come into the kingdom, and may revoke the same. The next section says that an account of the licenses shall be laid before Parliament annually. Then section 33 says, "And be it further enacted, That in case any Jesuit or member of any such religious order," &c., "shall, after the commencement of this Act, within any part of the United Kingdom, admit any person to become a regular ecclesiastic or brother or member of any such religious order, community, or society, or be aiding or consenting thereto, or shall administer, or cause to be administered, or be aiding or assisting in the administering or taking any oath, vow, or engagement purporting or intended to bind the person taking the same to the rules, ordinances, or ceremonies of such religious order, community, or society, every person offending in the premises in England or Ireland shall be deemed guilty of a misdemeanour, and in Scotland shall be punished by fine and imprisonment." Then section 34 says, "That in case any person shall, after the commencement of this Act, within any part of this United Kingdom, be admitted, or become a Jesuit, or brother, or member of any other such religious order, community, or society as aforesaid, such person shall be deemed and taken to be guilty of a misdemeanour, and being thereof lawfully convicted shall be sentenced and ordered to be banished from the United Kingdom for the term of his natural life."

517. That is a new penalty imposed by the 10 Geo. 4?—Yes.

518. It does not apply to convents?—The convents are saved by this: "provided always and be it enacted, that nothing herein contained shall extend or be construed to extend in any manner to affect any religious order, community, or establishment consisting of females bound by religious or monastic vows."

519. Therefore you consider that by that clause the convents are saved from the new penalties imposed by that Act?—I do.

520. But if anything existed before which rendered convents illegal that still remains in force?—Yes.

521. And you consider that it would not be safe to advise any client to confer any benefit on a convent for that reason?—I adhere to that opinion, that their status is far too doubtful to declare such trusts.

522. It is under these circumstances, as you have stated it, that the law is evaded, in order to convey property for the benefit of these institutions?—I do not take it as an evasion of the law. The property is held upon a recognised tenure, and lawfully held; the estate is properly vested; the law permits it to be done, and therefore there is no evasion of the law.

523. I meant only to say that the original law was not very operative; I think I have understood you rightly that there is a conveyance to persons by name, and upon the withdrawal, or failure

failure of the life, of any one of the joint tenants, it is replaced by another?—Yes.

524. And, practically, that seems to be opposed to the policy of the Mortmain Act?—No, because there is a continual succession of different owners and chance of alienation; mortmain is where the owner is continuous and the chance of alienation is taken away; but here the land is capable of being sold, and, in point of fact, is sold; it passes from these persons to others, even by sale or by mortgaging; they deal with the land; it is not as if it were vested in a spiritual corporation which never dies.

525. But property seems to be enjoyed, inalienably, by means of these successive tenancies?—No, not inalienable; perpetually alienable by the very form of the conveyance.

526. It would be an open violation of mortmain if it were not; but practically it amounts to this, does it not, that this is an arrangement for the purpose of keeping in force a trust, just as if it were granted in perpetuity?—It devolves, you will observe, by deaths. Suppose that there are three holders of the property, there is no such sense of the land being in mortmain, but that you would have to find out the heir, or that you would have to find out the devisee, or that you would have to pay duty to the Crown with reference to that devolution of property.

527. You alluded to occasions when there was either an obligation to alienate, or an interest in alienating this property; for instance, if a railway had to be made under the authority of an Act of Parliament, they could really compel the sale of that property?—Yes.

528. And, I think, that upon those occasions you state there is a difficulty about the title?—Yes, occasionally.

529. From your experience, would you tell us how that difficulty is met; the first inquiry would be as to whether there is a trust, would it not?—Yes; and the answer is, that the persons who hold are absolute owners.

530. And that satisfies the purchasers, or those to whom it is assigned?—Generally.

531. What is the state of the case when they have received the money for the property; do they consider themselves bound, as other trustees might be, to invest in other land, and upon the same trusts on which the land was held before?—It all depends upon the shifting circumstances of each particular case.

532. But do you know of any case where other land that has been purchased, or where the money has been reinvested, and where the persons so selling or transferring the property have the same trusts to protect?—I can call to mind at the present moment no case in which money has been directly received from the sale of land, and the same sum invested in the purchase of new land; generally it is invested in the funds, or in something else.

533. May we infer, from what you state, that latterly there has been no risk or inconvenience experienced by those who hold property in this manner by being occasionally obliged or induced to alienate it?—There is the inconvenience of overhanging doubts and questions, such as have been ventilated before you on this occasion, which is not inconsiderable.

534. But you have never experienced any; none within your experience have occurred?—I have had such a case as persons refusing to convey where land has been contracted to be sold, we will say, for a monastery, and paid for, and the contract has been endeavoured to be enforced. I have been kept for years waiting in such a case, because I had no power at law, or because I distrusted my power at law of enforcing that contract, in consequence of the penal character of the law.

535. But you never knew of any difficulty arising from the purchaser considering himself obliged to see to the application of the money?—No, I have had no case in which that difficulty has been maintained.

536. Is it not the case sometimes that you must see to the application of the money?—Ordinarily, if you are a trustee the purchaser would require to see the limits of your trust, and whether you had power to give a receipt for the purchase money.

537. There is, practically, no inconvenience felt by these religious institutions in holding property in consequence of the conveyances made to them?—We think that there is great deal of inconvenience.

538. I mean inconvenience to themselves from the scheme which they resort to, and are perhaps obliged to resort to, from the state of our law?—It is the most convenient course that they can adopt to meet the necessities of the position in which they are placed.

539. What would be their position, supposing that the law was altered in regard to the disability under which they labour now, of the uses being superstitious or themselves illegal, if they wished to acquire property?—They would then be able to enrol such of their deeds as related to realty, and acknowledge the trusts.

540. And you believe that that would be done if the law was altered?—It probably might.

541. But I do not collect from you that there is any objection on the part of the Catholics to the operation of the Charity Commissioners?—We believe that the Charity Commissioners act very fairly and very reasonably, in all such matters as are submitted to them.

542. They see to the administration according to the intention of the donor, and they call for accounts?—I think that is not so much the operation of the Charity Commissioners as this, that where there are difficulties you may apply to them to remove those difficulties; it is a remedial jurisdiction, and also for the prevention and the restriction of applications to the Court of Chancery, and of waste of charity funds in law suits, and so forth.

543. And the Catholics have no objection to avail themselves of whatever advantage is conferred by that commission?—No, I think not, generally.

544. Mr. *Jessel.*] You say that if you got rid of the penal clauses of the Roman Catholic Relief Acts as regards monasteries, that is all you want?—I confess that I had not formed any definite opinion as to the extent of what we required, nor should I feel that I was competent to be the expositor of what the Catholic body, generally, would wish upon the matter; I suggested that those clauses are so highly penal, and so contrary to your legislation at the present day, that they might very fairly be repealed.

545. You told us that as regards railways, in case of sale, you find a difficulty; I did not quite catch what the difficulty was; will you explain it?—In the case of property vested in joint tenants, whether there was any trust or not.

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546. But what difficulty could arise even if there were a trust; there would be no difficulty in selling to a railway by trustees?—In any other case, the case for instance of a private purchase where land is vested in trustees, you are open to inquiry if the building is supposed to be used for a *quasi* public purpose, whether these persons are really the owners, or whether they do not represent some other body which is the real owner.

547. Your answer is, that they are absolute owners?—Yes.

548. And that, I suppose, is generally accepted?—Yes.

549. And therefore there is no practical difficulty?—No; it may not, perhaps, prevail.

550. Was this ever suggested to you, that the conveyance of the legal estate of the monastery was invalid; because you have told us that they were the owners in law?—No; the persons not taking as monks, but taking in their rights as citizens.

551. But assuming for a moment, what I think you will not readily dispute, that a monastery is now wholly illegal, and that land is conveyed to persons by name upon trust for that monastery (I do not mean that the trust is expressed in the deed, but that it can be proved *aliunde* to exist), would that be a good conveyance at law?—It would be good until you could show the existence of that trust.

552. I am assuming that you could bring evidence to show that the property was purchased upon trust for the monastery; would that be a good conveyance at law?—I fear that it would invalidate it.

553. Therefore, I mean you could not really make a title if the purchaser were informed of the true state of the case? — If it could be proved.

554. You said that there was great doubt about the status of the convents. Have you ever been advised that a convent is illegal?—I have never been distinctly advised that a convent is illegal; but the extinction of everything connected with religious houses and religious professions, and the practice of the religion itself being void, all the scope and tenor of the legislation in times past seems to have gone upon the basis of such being the case.

555. I do not mean to suggest that at one period they were not illegal, but I am referring now to modern times, since the Roman Catholic religion has been made legal?—Then it has been also contended that perpetual vows apart from statutes, for poverty, obedience, and in restraint of marriage, are contrary to public policy, and so a question has been raised with reference to the validity of the convents, and of property given in trust for them.

556. As far as you are aware, is there any decision or even any dictum to that effect?—No, I find no judgment.

557. Again, may I ask you if your attention has been called to the repeal of the various Acts (you know they were very numerous), as regards superstitious uses; at least I believe they are repealed, with only two well-known exceptions?—That Act of the 23 Hen. 8, c. 10, is still in force, which is also a mortmain statute against *quasi* corporations, such as guilds, &c., and the Act of 1 Edw. 6, c. 14.

558. They were purposely left with those exceptions; I believe they are all gone?—It is impossible to say, the repertory is so very extensive.

559. You do not know of any one remaining?—No.

560. Therefore you do not know of any statute prohibiting convents?—No; there was a statute after the suppression of the lesser monasteries (31 Hen. 8, c. 6) giving to religious persons the right to sue and be sued, restoring to those particular individuals their civil existence; but I find no law declaring vows *per se* to be illegal.

561. Then in fact the illegality, if I may say so, rests rather on the painful impression from past legislation than on any positive enactment or positive decision?—I think it is more than an impression.

562. I should like something definite if you know of anything?—The whole tendency of the law has gone upon the assumption of the illegality.

563. That is to say, from the time of the Reformation till the time when the Roman Catholic religion was again made legal, of course the practice of that religion, and everything connected with it, was illegal; therefore during that time the law was well defined and well understood; but that state of things having passed away, what is there now to make it illegal?—It is open to great doubt in the mind of sounder lawyers than I can pretend to be.

564. I want to ask you now something about the mode in which the individual members of these institutions deal with their property; as I understood you, before taking final vows they make a will usually?—Yes.

565. What becomes of the income of their property in the meantime, that is, until they die; is that devoted to the purposes of the community?—There is no general rule upon those points; the practice differs very materially and considerably. Before final possession, a person looks round and sees what is due to his family and his natural ties, and provides for them, makes his will, and settles his worldly affairs, because one of the things that he has to do upon entering into membership, is to make a vow of poverty that he will not possess property.

566. You have told us that first of all he makes a will; of course that could only operate on the property retained, and that involves, therefore, the assumption that he retains some property?—The will would not divest him of the property; it has no effect *in præsenti.*

567. Supposing that a gentleman possessed of a thousand acres of land becomes a member of a monastery, or that a lady possessed of a similar estate, becomes a member of a convent, and takes the vow, you say that he or she makes a will; but there is a considerable rent or income from the property; what becomes of that?—The usual plan is not only to make a will, but to arrange all the worldly affairs of which there is any knowledge at all.

568. Is it an arrangement by deed, so as finally to dispose of the property?—Yes; the dowry which is taken in convents (of which I have more particularly had knowledge than of monasteries) ranges from 1,000*l.* to 200*l.*; that is considered ordinarily and necessarily to be paid; the application of the rest is a matter dependent upon the circumstances of the person, and what is fair and right to be done under the circumstances of the case.

569. You say that you are more familiar with the case of convents; do I rightly understand you

you that the nun divests herself of all her property at the time that she takes the vows?—Entirely, to its known extent; that is my experience.

570. Then there is nothing left for the convent except the dowry?—Yes.

571. Supposing that property is acquired by the nun after taking the vows, what becomes of that?—It would belong to the community; that would be the ordinary course.

572. She disposes, in fact, of all her then property; and her future acquired property, from the time she takes the vows to the time of her decease, passes with it?—Anything which devolved upon her from the time that she was a professed nun would, under ordinary circumstances, be considered the property of the institution.

573. I was going to ask you one question which, perhaps, you will hardly be able to answer; my friend Mr. Matthews asked you if there was any difference in dealing with that property from what there would be in the case of a club, or the benchers of Lincoln's Inn; has your attention been called to the law against perpetuities?—Slightly.

574. Would not a trust for a convent or a monastery be in the nature of a perpetual trust?—I should hardly feel competent to give an opinion upon that without further consideration.

575. Mr. *Newdegate.*] So far as you are aware, there is a conflict between the laws by which these monasteries and convents are regulated according to their own will and the law of England?—No, I do not say that; it is perfectly in accordance with the law of England that the joint tenants hold the property.

576. But the members of these institutions, and you as their adviser, are not satisfied therewith; that is to say, with the law as it exists?—The law is highly penal as regards men; and you could not expect a person to be satisfied with the liability to being banished or imprisoned for no crime.

577. You term the law penal because it is in restraint of monasteries?—In restraint of being in the country.

578. In restraint of monasticism and in restraint of such societies as that of the Jesuits?—And the mere being in the country is constituted an offence, although the person be a subject of Her Majesty, pay his rates and taxes, and discharge his duty in every possible respect.

579. You object to that law as penal because it is in restraint of such institutions or orders of the Church of Rome?—I object to it because it infringes the liberty of one of Her Majesty's subjects; a Jesuit, although he has that religious profession, is a subject of Her Majesty, and discharges all his duties, and I object respectfully to his being placed in a criminal position because of his religious opinions.

580. Then you complain of the law because it notices the fact, as a fact, that this person is either a monk or a Jesuit?—If it did not do any more than notice the fact, I should not complain of it.

581. The law proceeds upon the fact; do you object to the law proceeding upon the fact?—I do not think that I can carry my answer further than I have, I object that a subject of the Queen, performing all his other duties, should be subject to these grievous pains and penalties because of his conscientious religious opinions.

582. That is to say, you object that any subject of Her Majesty should not be at liberty to become a monk or to become a Jesuit, and in that case devise property to the community to which he belongs?—No; I do not think that that correctly represents my objection.

583. I will not press you any further upon that subject. You spoke with respect to property; is it not the fact, that after the final profession of a nun the law of the community which she enters, particularly if it is a cloistered convent, considers that person civilly dead except as forming a portion of the community which she has entered?—Such used to be the law.

584. I am speaking of the law of the community, not of the law of England; is not the case as I state it?—No, certainly not.

585. The law of England does not consider the nun civilly dead?—Well, it is very difficult to say what is the state of the English law upon these precise points; I find no Act of Parliament bearing upon it; the common law clearly did.

586. You are not aware that the law of England and the practice of the courts has decided that a nun is not civilly dead?—If you are alluding to Metcalf's case, a case before Lord Justice Knight Bruce, I recollect that case; it was a case of alleged undue influence, and it was held there that it was the natural thing that a nun should execute such a deed as she did because she was a nun; that is to say, that there was no evidence of undue influence.

587. And that she had legal capacity to execute that deed?—Yes; there was an argument raised about the profession being in England or abroad; under the old law profession abroad was disregarded because the law had no means of obtaining cognisance of it.

588. But it has been decided up to the present time that a nun is not, by the law of England, *civiliter mortua*?—Certainly, with reference to the execution of a deed, for instance.

589. But according to the terms of the profession and the vow of poverty, all property accruing to this citizen of Her Majesty would go to the community?—Yes, after profession in ordinary cases.

590. That was proved in Saurin's case?—Yes, after the final profession.

591. Then let me ask you whether you are aware that a learned Roman Catholic writer, Count Montalembert, confirmed recently by the opinion of Mr. Wells, is that altogether the Roman Catholic Church has more liberty in this country than in almost any other State of Europe?—I should not think so; this present inquiry is rather in the opposite direction.

592. An inquiry is not legislation; but are you prepared to deny the opinion expressed by those two persons?—If you would ask me a closer question, whether a convent is inspected in France, for instance, and not in England, or anything of that sort, I would answer you; but I am not competent to give an answer to so broad and comparative a question as yours.

593. I put the question broadly because you have gone into a great number of particulars, and I wish to know the inference and purport of your evidence, and to be allowed to ask whether you differ from those persons whom I have mentioned?—As to the extent of comparative immunity which convents enjoy in England and foreign countries, I should say that some of the convents in France, for instance, are legally acknowledged by the State, recognised by the

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State, and protected by the State; now we have nothing of that kind.

594. But in France there is a distinction drawn between some convents and some of the male orders, and others, and the law deals with them?—It does so; there are two kinds.

595. Do not those recognitions prove that the laws of France operate more directly upon these communities than the laws of England do?—In France a convent, or monastery, may have the advantages of incorporation, and may have a perpetual existence. Now that you deny us, we have no such advantage as that.

596. That is the advantage which you desire?—Well, I am merely a unit; I have no authority to make any representation on behalf of the Roman Catholics of this country.

597. In your opinion, should those advantages be granted to convents here which are granted to the convents abroad, authorised by the laws of France?—I have not considered the subject sufficiently.

598. But the complaints you make rather show that you are discontented, because they have not those privileges?—No; there is a wide difference between a thing being illegal and being erected into a corporation. I may fairly object to penalties and illegalities without claiming a perfectly legal incorporation of such a society as a convent with its legal incidents.

599. The illegalities, according to the clauses which you have read yourself, are intended to be restraints?—Yes, they evidently are so intended.

600. And of those you complain?—Yes, I complain, and very justly, I think.

601. Mr. *Pease.*] I gather from your evidence that monastic institutions, as such, are illegal in this country?—Yes; I think that is fairly stating the case.

602. That lands held by them practically as a matter of law are held simply by private persons? Yes, that is so.

603. Without trusts?—Without trusts.

604. And that personal property the income of which actually goes to these establishments, is also held merely as private property without trusts?—That is so.

605. And property left for charitable purposes, belonging to Roman Catholics, vested under the care of members of a monastic institution would not be a legal trust, and would not be returned to the Charity Commissioners?—Not if the trust savoured of a monastic purpose.

606. The same remarks only apply in a different degree to property and trusts held by convents?—Yes, in a limited degree.

607. You told us that the individuals entering these establishments made their wills previous to their taking the final vows?—Yes.

608. In these wills, if property is intended for the purposes of the houses to which they belong, after their decease, is it left exactly in the same way without trusts to private individuals?—Yes.

609. Then the fact is, that the whole of the property of these establishments, whether coming in real estate, or in personal estate, or by will, is all held on honour?—Yes, it is generally.

610. You spoke of the damage which sometimes arose on the question of title, from the inability of the parties thus holding on honour to sell to railway companies, and other parties, who had compulsory powers of purchase. Has that really been any practical damage?—Or in voluntary purchases as well; it is more serious in voluntary purchases than in others, where there is a desire to sell, and difficulties have arisen in such cases.

611. In your experience have difficulties occurred?—Yes, they have.

612. They are the exception, and not the rule?—Yes, they are the exception, and not the rule.

613. On the death of one of three trustees likely to hold a real estate, the succession duty is paid on one-third?—Yes, it would be payable.

614. Is that succession duty avoided by the transfer of the property previous to the death of an old trustee?—It would not have accrued (that would be the best answer), because, before the person died, he would have ceased to be the holder.

615. You keep the trust alive, and constantly going, independent of the question of death; that is the practice?—Yes.

616. You have alluded to the inability which was either continued or imposed by 10 Geo. 4, c. 7, and you read the 28th section. Do not the Roman Catholic priests frequently moving about belong to the order of Jesuits and different orders which are prohibited by Section 28?—I have seen persons whom I believe to be Jesuits, constantly.

617. And they appear in their peculiar dress at ceremonies outside the church, at funerals, and in other places?—Their habit would not be visible then; they would have the vestments of a priest on, and you would not see whether they had got their habit or not.

618. Mr. *Bourke.*] Do you know of any monastery or conventual establishment that is, in your opinion, in point of law a charity?—No, I do not.

619. Then, so far as you know, no monastery or conventual establishment in England can be subject to the jurisdiction of the Charity Commissioners in law?—I think that is so.

620. You have used the phrase "*quasi* monastic establishments," "a charity," I think you said, in the nature of a monastic establishment, or words to that effect. Now do you know of any such institution in England?—The definition of a monastery, I apprehend, is where persons take the three perpetual vows and live together; "*quasi*" must mean persons who more or less come up to that standard.

621. Do you know any *quasi* monastic charities in England?—I know institutions where they do not take those vows, and they might be considered as *quasi* monastic.

622. Would they come under the jurisdiction of the Charity Commissioners in point of law, do you think?—No, I think not.

623. Why not?—There are not the badges of a charitable institution about them.

624. Then it is your opinion that there is, in fact, no conventual or monastic establishment in England that can come within the jurisdiction of the Charity Commissioners by law?—That is my opinion.

625. Mr. *Gregory.*] You have told us that the real property of these institutions is vested in trustees as joint tenants, and ostensibly on the face of the deed they have the beneficial as well as the legal interest?—They have; the words are "in joint tenancy as well in equity as at law"

626. In case of the death of one of them you pay

pay succession duty upon the right accruing to the survivors?—Yes, it would be payable.

627. And personal property is vested in the same way?—Yes.

628. How are the trusts in those cases practically ascertained?—The holders of the property manage it as if it were their own, guided doubtless by the views and wishes of the members of the house to a greater or less extent.

629. You mean subject to the views of the members, expressed by the house or a majority of the house?—No, I mean generally in accordance with the genius and with the interests of the community. As the owners of the property they act in the interest of the community.

630. Do they act of their own free will, or under the direction of the community?—Of their own free will.

631. Without any appeal?—In a family, you have no appeals.

632. That is just what I wanted to know, whether it is strictly in the relation of a family, or whether there is any jurisdiction exercised over them?—It is strictly in the relation of a family.

633. Without any external jurisdiction whatever?—Without any external jurisdiction whatever.

634. It is merely on the motion of the members?—These members, who hold the property, are generally the chief persons.

635. And they have an absolute jurisdiction over the management of the property?—And exercise it.

636. You said that persons before taking the final vows made a will disposing of their property; but, as I understood you, in answer to Mr. Jessel, you said that that was in fact a deed?—No, it is a will; but they arrange all their worldly affairs; they are, as it were, taking leave of the world, and arrange all their worldly affairs which they then have cognisance of, and beyond that they make their will providing for the future.

637. You say that they arrange their affairs; do they arrange their affairs by any instrument?—By the division of their property.

638. Upon what is the will to operate?—Upon anything that may come afterwards.

639. The will is only to provide for future property?—Yes, and unexpected contingencies.

640. And all the property belonging to them up to that time is arranged by deed?—By delivery or according to the convenience of the case.

641. By conveyance, I presume, first in the case of realty, and by delivery in the case of personalty?—Yes, where a conveyance is requisite. Far the greater majority of persons who are members of religious institutions are poor persons who have no estates; those who have estates would regulate them by conveyance, by sale, by distribution of the proceeds, and so forth, and they generally would arrange their affairs as if they were going to die.

642. These wills, I suppose, are subject to probate in the usual way?—Yes, and the duty paid.

643. With respect to the Charity Commissioners, you are aware that their jurisdiction extends to the inspection and regulation of charities?—It does.

644. To the inquiry into their objects and seeing how those objects are carried out?—Yes, and giving advice and preventing waste.

645. But still more to regulating the application of the property among the objects of the charity?—They could not do that with so many charities as there are in England.

646. I was talking of their legal powers; their functions do not extend to that?—In theory they do.

647. Do they not under the Act of Parliament by which they are constituted?—They are authorised to inquire into charities under the 43 Elizabeth.

648. Do you object to come under all the jurisdiction of the Charity Commission as it exists?—If it is a charity I do not object, of course; my objection rather relates to the antecedent ground that these are not charities.

649. You except them from the jurisdiction on the ground that they are not charities?—Yes; and all religious buildings, if you notice, are exempted from the Charity Commissioners by the 62nd clause of their Act.

650. Mr. *Talbot.*] I understood you to say that one of the complaints which you make as to the present condition of the law respecting monastic institutions is, that a person is a criminal, a misdemeanant, at any rate in the eye of the law, who is a monk?—A monk who comes into the country, or a person who is made a monk in this country.

651. In fact, that he offends against the law simply by being a monk?—By being made a monk in this country.

652. Either taking vows in the country, or coming into the country, having taken the vows?—Yes; and so also with the person who admits him to the order.

653. You wish that to be altered?—I think it is so obviously harsh, and contrary to the progressive amelioration of the laws, that I submit it would be wise to alter it.

654. What would be your opinion as to the best way in which the law could be altered so as to give relief to the people for whom you speak?—To make no difference between Roman Catholics and any other subjects of Her Majesty as to matters of religion and conscience.

655. That any person who liked should be able to take vows in perpetuity?—The perpetuity can only last during their lives.

656. That is what you are aiming at, removing all disabilities for the taking of perpetual vows?—I am not aiming at anything, but I think that it would only be fair and right that those highly penal clauses should be removed from the statute book.

657. The words are "conventual and monastic"; now, is the only distinction between "conventual" and "monastic," that a convent is a place for women, and a monastery a place for men?—That has come to be the meaning in modern days.

658. It is an abuse of language, is it not?—Yes; the term "convent" applies to monasteries as well, but it is the conventional term of the day.

659. We have had it assumed that a convent is a place where only women are?—It is so accepted now.

660. Then there is, in fact, no distinction in sex between the two?—No; but the terms have acquired that conventional distinction.

661. Mr. *O'Reilly.*] You were asked whether you suggested the removal of all disabilities for the taking the perpetual vows; let me ask you what,

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what, in the eye of the law at the present moment, ordinarily speaking, is a vow; is it any restriction of the subject of which the law can take cognisance?—It is only *in foro conscientiæ.*

662. You do not suggest that the law should in any way enforce that resolution on the part of men or women, for instance, not to marry?—Certainly not.

663. Therefore is it that your objection is that the law should punish an internal act of the will, which is perfectly voluntary, and which the law is not in any way called upon to recognise or enforce?—Yes; it seems unfair and unjust.

664. You stated that before persons took the vow they generally, or almost invariably, disposed of their property by deed, by act, or in some other way?—Yes, that is so.

665. Have you known any cases in which the person so taking a vow, being a man, for instance, was the heir of considerable property?—Not very considerable property.

666. Are you acquainted with the case in which the heir to a baronetcy, for instance, and some landed estates, took such vows as conveyed all his property to his second brother; have you heard of such a case, or would such a case surprise you?—I have heard of such a case; he would reserve some sum for the religious house into which he was to enter, 1,000 *l.*, or something of that sort.

667. But probably he would make over the bulk of his property?—Yes, to his family.

668. A good many questions have been asked as to how far conventual institutions would come under the legal definition of charities, and the Charity Commissioner said that it was a question that would depend greatly if not entirely on the facts of the case. Now I wish to call your attention to a state of facts which your experience will probably confirm as common with regard to convents; is it not the fact that in the case of many convents of women, for instance, the property of the convent is the property of all the members collectively, and they, by mutual agreement, may do what they like with it; for instance, sell it all, and take the proceeds elsewhere. For example, a community of women who own a house and other property in London, and there take a school, and carry out other works of charity, may sell it all, buy a house in another part of England, or out of England, go and live there, and teach a similar or a different sort of school?—Yes.

669. Is it not the fact that that is a very common state of things among convents?—Yes, not uncommon.

670. Would you think that such a body of persons could be removed from the legal definition of a charity and the jurisdiction of the Charity Commissioners, because there would be no precise purpose in that case which they could assist to enforce at all?—Yes, it puts an end to the existence of that permanent endowment which seems to be the essence of a charity.

671. And is it not within your knowledge that such is frequently the case in England?—Occasionally.

672. Frequently the case that they may do it, and occasionally that they do it?—It is always the case that they may do it.

673. But I suppose that if there was an endowment left for the maintenance of a specific convent in a specific place in England, with the obligation attached of teaching a school in that particular place, assuming such an endowment to be legal, that might be considered a charitable endowment under the jurisdiction of the Charity Commissioners?—Yes.

674. But as far as your knowledge goes, is it not the fact that the great majority, if not all the cases of convents in England, come under the other description?—Yes.

675. *Chairman.*] If any property was left to any of these persons in a convent after the final vows had been taken, could anybody, a trustee, for instance, refuse to pay that money because the person was civilly dead?—Do you mean in her lifetime, or after she dies?

676. I am assuming, for instance, such a case as arises under a marriage settlement; the parents may die after she has taken the final vows, and a question may then arise as to her portion being paid?—They would have to pay her in that case.

677. And the law would not protect them, or the executor, or the residuary legatee, in alleging that she was civilly dead, and could not take property?—No.

678. Mr. *Newdegate.*] I wish to ask for an explation of one answer of yours. You said, did you not, that the Roman Catholic charities are now generally enrolled?—No; I said that the foundations of the missions for churches were generally enrolled, the house for the priest and schools. I, in my own practice, invariably enrol them.

679. Under what statute?—Under the general statutes, with regard to charities, relating to the enrolment of real estate.

680. Mr. Hatfield's Act, you mean?—Since 1860.

681. Including Mr. Hatfield's Act?—I do not call to mind that Act; that enabling statute of 1860 is extended and amplified by an Act of the next Session, and then by an Act of the Sessions afterwards.

682. You made an exception of monastic and conventual institutions as not enrolled?—Yes, we do not venture to enrol them.

Mr. William Henry Gunning Bagshawe, again called in; and further Examined.

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683. *Chairman.*] I believe you wish to make an addition to an answer which you gave last time?—I wish to say one word in explanation of one answer of mine on the former occasion. I stated that I did not consider, to take the instance of a legacy to a contemplative order, that that would be a legacy to a charitable purpose, because such an order did not take part, I considered, in the promotion of the public worship of the Roman Catholic Church. But I desire to guard against the idea that I think the illegality of any monastic institution is consistent with the free action of the Roman Catholic Church. I consider that it is essentially part of the practice arising out of the doctrine of the Roman Catholic Church that there should be such institutions, and consequently that if they are rendered illegal to that extent, the free action of the Roman Catholic Church is interfered with by law. At the same time that I think that any illegality should be removed

removed which affects those institutions, I do not in the slightest degree wish to see them privileged, or their vows recognised, or anything connected with them recognised. I should desire to see them left simply upon the footing of ordinary voluntary associations, subject in all respects to the law of the land as respects perpetuities, and as respects the obligation of enrolling charitable deeds, and as respects the jurisdiction of the Charity Commissioners, whenever those apply.

684. Your observations in that respect apply to all institutions of this religious character?—Yes.

685. You referred especially to convents in cases where they were of a contemplative character, with no charitable object? — I mention those because on the former occasion I had mentioned them as being the cases in which I thought it clear that the institutions were not of a charitable character; but I think that, whether charitable or no, whether contemplative or no, they are all the result of the free action of the Roman Catholic Church,—differing very much amongst themselves.

686. Do we rightly infer that you make a recommendation in consequence of the view which you now entertain as to the law?—If it is competent to me as a witness to make a recommendation, I would say that I think that the action of the Legislature should be simply to remove any illegality, in the one case certain, in the other case doubtful; but that in the removal of such illegality, the Legislature might, and probably would, guard itself against anything like the recognition of those bodies as of a corporate or *quasi* corporate character, or as having any vows of a legal character; they should, in fact, leave them to the ordinary laws of the country in every respect.

687. Mr. *Jessel.*] When you say that they should leave them to the ordinary laws, would you, or would you not, recognise vows as contracts?—I would certainly not by law recognise a vow as a contract binding the party to the observance of the vow, but I would recognise a vow to this extent, that if a certain body of persons chose to make it part of the agreement amongst themselves, that they should be members only so long as they observed certain vows, while I would not require that that should be recognised by the law, I would say that there should be nothing in the law which rendered it unlawful; for example, for a given number of ladies to contract that they will live together in a certain institution, so long, and so long only as they think fit to abstain from marriage.

688. But on the other hand, supposing there were a vow for a valuable consideration, made either by men or women, that they would live together for life unless released by a superior, and that all their property should belong to the community, would you legalise that?—I would not legalise any contract which bound a man by anticipation, that all property that he should acquire should belong to any institution.

689. That has been decided, has it not? — I think, perhaps, your reference is to a decision of Lord Langdale's, to the effect that a man was bound by a contract that all the property which he might acquire, from whatever source, during the whole remainder of his life, should be settled, not upon nuns, but upon some secular purpose that existed in that case; I have always thought that a most wonderful decision.

690. Supposing that to be the law, you would not desire the law in that respect to apply to these vows?—No.

691. Therefore you would still require some special legislation on the subject?—No, because my impression is, that the law would not give effect to any such contract.

692. *Chairman.*] The law would not give effect to such a contract without any reference to a religious purpose, but if a money lender was to make an arrangement with a man who had prospects, do you say that the law would not recognise that?—No, to give a security upon all one's property for what was a definite sum lent, would be a different thing.

693. Suppose that it was anticipating all his property, whatever it might be?—If he were to anticipate it by way of absolute alienation, I think myself, that it would be bad, but at the same time if it were for a valuable consideration of money, it might be subject to different conditions from any that I can conceive would affect any such contract as a monk or a nun could enter into; but it is new to me that any such contract is in fact entered into by monks or nuns.

694. Mr. *Newdegate.*] With regard to the answers which you have just given, you wish that the law of England should practically ignore the laws and constitution of monastic and conventual institutions?—I think that the law of England should stand thus: that with respect to any given community, if a question arose as to the property of that community, the law should inquire, "What contract have you entered into with respect to ownership of that property;" exactly as if a dispute were to arise with respect to any club, and the ownership of the property belonging to that club, the Court of Chancery would inevitably inquire, what are the rules of the club, and have they been complied with, or are they broken in the proposed dealings with property. I may observe, in the first instance, that, except as respects property, I think the law should wholly ignore these associations. I cannot conceive that any question respecting monks or nuns could arise before the law, excepting so far as affected their property. I set aside, of course, all cases of personal liberty, which would fall within the criminal law; I do not propose in the slightest degree to interfere with that; I take it that the law which gives every person a right to his personal liberty would wholly ignore any contract, if any such there be in restraint of liberty; that is to say, if a monk or a nun were to desire to quit their convent, and any attempt were made to set up the plea, "You have made a vow obliging you to remain here," the law would utterly disregard any such contract, and I think it should continue to do so. But I say, excepting as regards personal liberty, and as respects property, I think that the law has nothing to do with such institutions.

695. We will take this case; you would not have the law consider whether the allegiance of such a person was affected by the nature of the institution which he had entered, or of the obligations which he had undertaken?—I see no case for supposing that any allegiance could possibly be interfered with. I am not quite sure, however, that I understand the question.

696. What you recommend, practically comes to this: that the laws of this country should pro-

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ceed without reference to these institutions, when the laws of scarcely any other country do so?—I am not aware that the statement contained in the latter part of your question is in accordance with the fact. I know nothing whatever, and I am not in a condition to give you any evidence whatever as respects the laws of other countries; but if you could show me any other country where there existed the same complete protection for the liberty of the subject that is given in this country by the action of the law of habeas corpus, and many other similar provisions of our law, and you were to tell me that in the law of such a country as that convents were rendered illegal, I should only say that I would not follow that example.

697. I will put the question generally; you wish that in the matters which you have stated, the law of England should ignore the constitution of these societies completely?—I think that there should be no general provision whatever of the law relating to their constitution; I think that the result of that would be, and should be, that they would be left to the action of the ordinary law of the Court of Chancery as respects valid trusts, one provision of which, amongst others, I might mention would be this: that if there were any attempt to create a trust or property in favour of a convent, so as to render it inalienable beyond the life or lives in being, and 21 years afterwards, that would be bad, and it should continue to be so, I think.

698. Are you aware that the difficulty with respect to the accumulation of property in mortmain, originated in the very state of things which you recommend us to revert to?—No; I am aware that before the Reformation all the more important monasteries and convents were as completely corporations in the eye of the law, and as competent to hold land perpetually, as, for example, any one of the city companies; and that is a state of things to which I do not propose to revert. And I may just mention that at the early period which you refer to, the branch of law applicable to cases other than those of corporations, what is called the law of perpetuities, was not well ascertained. The provision that I have referred to is not to be found in any statutory enactment; but what I may call the common law as respects restraints upon alienation, namely, that no trusts can be valid which prevent alienation beyond the period that I have mentioned, was not well understood till long after the Reformation.

699. The reason why I adverted to that was this, that I believe, though you may not be aware of the fact, that the struggle which went on between the civil and the ecclesiastical power, went against the civil power and the common law, because cases in equity were in the hands of the clergy?—I am not aware of that.

700. Were you examined before the Committee of 1851–52?—No.

701. It was a relation of yours perhaps?—Possibly my father; I do not know.

702. I wish to ask you, as a person in the confidence of the Roman Catholic body, whether the list given in this Roman Catholic Directory (*handing a Directory to the Witness*) is to be considered a correct enumeration of these institutions in Great Britain?—I beg to disclaim any privileged position or confidence with respect to the Roman Catholic body, other than that of being a conveyancer consulted frequently in matters respecting their property, but as one of the ordinary Catholic public, and having neither more nor less than the ordinary knowledge of the subject, I may tell you that I have that book, and that if I wanted to ascertain any matter which fell within it, I should refer to that just as one does to an ordinary Directory.

703. You are aware that the House of Commons has directed this Committee to inquire into certain matters touching conventual and monastic institutions in Great Britain. There is at present, I believe, no recognised list of these institutions except that which I hold in my hand; it is published by Burns and Company, and it is issued "*permissu superiorium.*" Who are the "*superiores*"?—I really cannot tell you; I very much question whether there are any *superiores*, who have anything in the world to do with the matter; I should think not.

704. Then the publisher is the only person responsible for this list?—I imagine that is so; so far as I have ever understood, it is a mere private speculation, much such as "Kelly's Post Office Directory" would be; I never heard anything to the contrary.

705. You were speaking of the contemplative orders of the Church of Rome as not being charities where they possessed property?—Yes.

706. The Church of Rome recognises the vocation and occupation of these orders as charities, I conceive?—I am not aware of that.

707. Is it not considered by the Church of Rome that to say masses for the souls of the dead is an act of charity?—I am speaking rather of the contemplative orders of nuns and the contemplative orders of monks; a very large proportion of the latter are not priests; I believe, as a rule, the contemplative orders do not yet ordain priests beyond just that number that is necessary for the spiritual ministrations of the convent.

708. Under the old laws of this country, it was common to found institutions; one portion of their function being to pray and say masses for the souls of the founders and others, and it was considered at that time a charitable purpose, was it not?—I really can hardly tell you, but I believe that the extent to which such foundations were made for the purposes of masses for the dead, or prayers for the dead, has been greatly overrated; I do not think that it formed any leading part of the purposes of such institutions; I believe that the main reason for the existence of such institutions has always been the belief which Roman Catholics entertain, that in the case of very many souls, that particular mode of life is God's vocation, and the mode in which they are to work out their salvation, and that such institutions have been established to enable them to do so; it may not have been uncommon for founders to assume that prayers would be said, and one knows that in the case of All Souls College it was made an express stipulation.

709. That was considered a charitable purpose?—Very probably, but I cannot tell you, because I do not profess to be anything of an antiquarian lawyer.

710. Do not you consider it a charitable purpose to leave property to a certain set of persons that they may perfect themselves in religion?—Certainly not a charity within the meaning of the term as defined by the English law.

711. But it is a term which has not been defined by the English law?—Well, I think that the term "charity," although it has not received any precise and formal definition in the English law,

law, has come to be thoroughly well understood as to its main lines of demarcation. I will not say that there may not be cases on the line as to which lawyers may differ; but as to its main features, I think it is thoroughly well understood by English lawyers what is meant by a charity; and I adhere to the opinion which I expressed a day or two ago, that a gift to persons simply for the purpose of perfecting themselves in holiness, and not for the purpose of their taking part in any cure of souls or ministering to the public advantage by way of the promotion or maintenance of religion, is not a charity.

712. But surely, taking the case of an almshouse, where there is provision made for the religious instruction of the inmates, that is a charity?—An almshouse would be a charity in regard of its eleemosynary character, no doubt, and not less a charity because there might happen to be (whether that was usually the case I do not know) provision for the religious instruction of the inmates; probably there would be a clergyman attached to the almshouse, whose duty it would be to read prayers or to say mass, as the case might be, for the inmates; and that would be perfectly within the idea of a charity.

713. But take the case of an institution such as Dulwich, which is not for those who are absolutely destitute; is not that a charity?—I believe that Dulwich is an institution for poor persons, although possibly not for persons absolutely destitute, and it is not a charity except so far as it is for poor persons. I believe that an institution for the residence of rich persons, not being engaged in education, or in the public functions of religion, would be no charity at all, any more than a club would be.

714. Then you hold that these institutions, particularly the convents for women, do not come within the province of the Roman Catholic Charities Act of 1860?—I endeavoured to explain that there would be differences. At the one end of the scale, to take the case of the purely contemplative convent or monastery, I thought it clear that they did not come with that Act. To go to the other end of the scale, and take the case of a convent engaged exclusively and entirely in works of mercy, as for example, sisters of mercy, or a body of priests bound by their rule to devote themselves to preaching and administering the sacraments, those two cases I thought probably might be brought within it. With respect to intermediate circumstances, it is impossible to form an opinion. I endeavoured to lay down what I think the only guiding principle upon the point, that a gift to an institution would or would not be charitable according as you could or could not regard that gift as being a gift for the purposes of the institution, those being charitable.

715. You have mentioned that monasteries and such societies as that of the Jesuits, are distinctly illegal?—All institutions of men bound by vows.

716. Vows are recognised by the law in the case of female institutions, but prohibited with reference to the male institutions?—They are prohibited in the case of the male institutions. I should not say that with respect to the female institutions they are regarded as having any effect whatever; I should therefore not think it accurate to say that they were recognised.

717. They are mentioned in the statute, are they not?—In that sense their existence may be recognised, but they are not recognised by law as amounting to anything.

718. With reference to these monastic male institutions, there appear to be a great variety of them. There are the older ones, the Dominican, the Theatine, and the Franciscan orders, and these are all bound by monastic vows?—As to the Theatines, I know the name, but I do not know anything about them. The Dominicans, and the Franciscans, I believe, speaking by common report, are bound by vows.

719. And so are the Jesuits?—I believe so, speaking in the same way.

720. But the Jesuit society is not considered monastic, but rather a fraternity, or "congregation," I think, was the word he used?—Yes; I hope I am not getting out of my depth, but I have heard as a matter of common information that only the older orders of the year 1200, and before that, are properly and technically orders, and that the members only of those are properly and technically monks; but I am not aware that that is otherwise than a distinction without a difference. I believe this, that the later ones make vows of a character more easily dispensed; that is the practical distinction.

721. Such as the Oratorians?—They make no vows at all of any sort.

722. They are of the order of Saint Philip Neri?—There is no such order.

723. Do you mean that the Oratorians are not an order?—They are called Oratorians; I think that it is called the Oratory of Saint Philip, but it is no order at all.

724. That I think has been decided in our courts?—I have heard that they have been before our courts several times, but I do not think that there was any decision as to their being an order.

725. Do you know the case of Smee *v.* Knox?—Only by name.

726. You are not aware that the Italian courts have decided that they were an order?—No, I am not.

727. In short, your evidence with respect to the monastic orders, does not give a strict definition of those institutions which should come within the term?—Yes, I should say that a monastic order, properly and fairly understood, consists of men bound by vows. I think that I stated in the very outset of my evidence, that I considered that that was the test of a monastic order.

728. According to the statute of Geo. 4?—Yes; I think that that statute strikes at all orders and congregations of men bound by vows.

729. *Chairman.*] Whether Protestant or Catholic?—I do not think that at that time the existence of any Protestant ones entered into anybody's mind.

730. Mr. *Jessel.*] The words of the Act are, "Other religious orders, committees, or societies of the church of Rome"?—Yes; I think it occurred to me before that if the Greek Church were to come over here they might establish their convents with perfect impunity

731. Mr. *Newdegate.*] Then I understand that you do not include among the monastic orders to which your evidence has reference any society or congregation, or confraternity bound only by discipline and obedience to that discipline?—I do not include any such; I do not know that there is any such, unless you could call the Oratorians such, and their discipline is only voluntary, and at pleasure, I think.

732. The vows, I think, which the law prohibits

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are voluntary?—Voluntary in the sense that nobody is bound to keep them longer than he chooses excepting as it may affect his soul.

733. And yet the law prohibits those vows?—Yes.

734. *Chairman.*] Is it made penal by any statute to record any vow in an institution of that kind?—In the case of men it is made penal, certainly, by that statute of 10 Geo. 4.

735. Mr. *Newdegate.*] Under that statute the persons thus designated as belonging to these orders, that is, designated by their having taken certain vows, are subjected to certain conditions, such as registration, if already natives and inhabitants of this country, and admission only by leave of the Secretary of State if they come from abroad; are not those the provisions?—Yes; there are certain provisions for registration which, if I remember right, apply only to monks who were such before 1829, and of course there are very few of those now.

736. And with respect to others, the law says that they shall come to this country only by permission of the Secretary of State?—No doubt.

737. Then the law distinctly recognises monastic vows?—In the same sense as it recognises burglary or anything else plainly illegal. It is hardly right that I should place the two things together, but I wish to point out this, that the law makes the one as illegal as the other, which I consider monstrous.

738. Then the law considers these vows as designating these persons, and also with a view to restraining these institutions, prohibits certain acts on the part of these persons?—Yes; it prohibits them. I cannot make the language clearer.

739. That is the form in restraint of monastic institutions which the law has adopted?—No doubt.

740. You think that there should be no such restraint?—I think that there certainly should be nothing to make it unlawful for a man to follow the dictates of his conscience and take a vow, or a woman either.

741. The law points to these institutions as institutions that it desires to restrain, and marks these institutions by pointing to the vows taken by the members thereof?—Certainly.

742. And it is to this form of restraint that you object?—Not so much to the form of the restraint. I object altogether to the restraint upon persons becoming monks.

743. And becoming possessed of property in this country?—I think that they should have just the same power of acquiring and possessing property as their neighbours, and neither more nor less.

744. You object to any restraints upon the acquisition of monastic or conventual property?—Certainly; I object to any restraints beyond that which the existing laws of the land impose as respects Protestants.

745. That is, you object to the law designating these institutions and the members thereof for the purpose of restraint?—Yes, for the purpose of restraint, but most especially for the purpose of declaring them illegal.

746. But also with respect to the acquisition of property?—Your question, as I understand it, is this: supposing them to be made legal, would I object to any restraints upon their acquisition of property; that is a totally different consideration; but I am not aware of any case being made out why they should not be allowed to possess any amount of property.

747. You are aware that from the time of Magna Charta, and even before, there were restraints enacted by the common law?—I know that in times past they did acquire very large amounts of property; whether that was or was not a proper case for interference, is a question that I do not speak upon.

748. They acquired this property notwithstanding the existence of laws in restraint of such acquisition?—No; I believe that they acquired it in accordance with the then laws.

749. They acquired it although there were laws restraining them in certain particulars?—Whatever those laws were, they no doubt complied with them at that time.

749.* *Chairman.*] Have you ever known an instance where the penal section of the Act has been enforced?—Not by law, certainly; I have known cases where it has had practical operation. I mentioned one or two instances before, but I do not know any case in which it has ever been enforced by any tribunal.

750. But do not you know of many cases where it is totally disregarded?—I have an impression, in common with a good many other people, that there are a good many monks in this country, but I really do not know it of my own knowledge in the case of any one of them.

751. Mr. *Newdegate.*] Are you aware that the monks of Mount St. Bernard, in Leicestershire, are possessed of property?—I believe they are; I know a lithograph which represents the convent there, and I have heard that they did buy a stony arid piece of land on Mount St. Bernard, and that they have cultivated that tract of land, and made it available for useful purposes.

752. Are you aware that part of that is leased to a reformatory school, which is supported partly by the State?—There is a reformatory there; and, speaking of it as a matter of common rumour, I believe that it was connected with the monks for a certain time, and is so no longer.

753. But are you aware that there is a lease from the monks of the land which is attached to that reformatory school?—No, I am not.

754. Are you not aware that monastic institutions, associations of men for the purpose of monastic life, do possess property in this country?—I do not possess any accurate and complete information, but so far as I know, the property of the monks is limited to their churches and convents, with the exception of a comparatively small amount of property, as to which I really cannot give you the amount particularly.

755. Are you aware that convents of women do possess property?—No doubt they do; they bring in dowries of 1,000 *l.*, or something like that, when they go in; of course they possess property.

756. And any property accruing to them after profession, would go to the community?—Oh, no; a nun would be perfectly free to deal with the property that came to her after profession, as she pleased.

757. That is, if she disregarded the vow of poverty?—They would not let her live in the convent, and spend her money as a lady of fashion; I have no doubt of that.

758. In fact, they would apply the property for her?—I do not think that they would apply the property for her; they would not let her keep it for her own personal use, and be a nun in their

their convent; they would all have to live together in a certain frugal way, and if any one of them becoming possessed of property were to attempt to spend it on her personal luxuries, no doubt it would not be allowed; beyond that, I cannot tell you.

759. Nor would she be allowed to devote to any purpose of her own choice?—I do not know that they would interfere as respects the capital of it; I do not believe that they would allow her to spend the income.

760. *Chairman.*] If she dies without disposing of it, they have no title to it?—No; if she dies without disposing of it, it will go, according to the ordinary law of the land, to the heir or the next of kin. If she had made a will, it would go as the will directed.

761. Mr. *Newdegate.*] If she had made a will before the acquisition of this property, what then?—Before or after, it makes no difference.

762. But supposing a case of property accruing subsequent to her profession, and she had made no will?—If real estate, it would go to her heir, if personal estate, to her next of kin.

763. Would you recommend an alteration of the law by which it would be legal for such a nun to leave this property to which you have adverted, to the community in which she lived?—I would recommend that the law should render the community in which she lives not illegal, and beyond that I would leave the law exactly as it stands.

764. And if the community was not illegal, the property would go to the community, if the nun becoming possessed of it so chose?—If she chose to leave it to a community made legal, in a way that was legal (and it would be a matter that would require some conveyancing skill to do that), I would certainly not interfere by law to prevent her. Of course if she did so, all the existing law which would strike at any will, made under undue influence, or the like, would remain; but if she, as a free agent, made a legal will in favour of a legal institution, I cannot see why the law should interfere.

765. You would render the community capable of receiving that property?—I would not interfere to render it capable of receiving that property further than would be done by sweeping away any law which rendered it an illegal community; I would place it on the same level as any club.

766. Mr. *Jessel.*] Or as any community of Protestants?—Yes.

767. Mr. *Newdegate.*] Then, practically, you would leave these communities free as though they were not connected with the Roman Catholic Church or system?—Exactly.

768. Mr. *Bourke.*] Are you aware of any monastic or conventual establishments in England that would, by their constitution, come under the cognisance of the Charity Commissioners?—I am not sufficiently aware of their constitutions to be able to answer that. There are some which I know are so completely dedicated to the charitable works, that I can conceive that so far as their purposes were concerned they might. But you must bear in mind that the Charity Commissioners have no jurisdiction over property collected by way of subscriptions; and I conceive that if a body of ladies bring their own property into a common fund, and chose to apply it to charitable purposes, it would not bring them within the jurisdiction of the Charity Commissioners *quoad* that property.

769. But supposing property was left to any monastic or conventual establishment that you know of in England, do you know of any such establishment that would by that gift be brought under the cognisance of the Charity Commissioners?—I think that there are several that would be brought under the cognisance of the Charity Commissioners *quoad* that property so left.

770. Mr. *Gregory.*] I am not sure that I quite understood how far you meant to go with respect to legalising vows. You talked of legalising a vow against marriage, that is to say, allowing a lady to enter into a vow that she will not contract marriage in her lifetime?—I went no further than this: that the making of such a vow should not be an illegal act, but I would continue to keep it an act perfectly devoid of legal effect.

771. So as not to interfere with the law as to contracts in restraint of marriage?—I would not in the slightest interfere with that law, but it should not be an illegal act.

772. As to contemplative orders, will you enlighten me, in my ignorance; I do not rightly understand that those orders have no external duties beyond the walls of their establishment?—There are some that have none.

773. Strictly none?—Strictly none; they are bound by the law of inclosure, as it is called; that is to say, they do not go outside their doors or let any man in, except in cases of sickness.

774. Do not they take children in for the purposes of education?—There are some that do nothing of that kind, I believe; those cases are rare but there are some of them.

775. They are contemplative orders still, though contemplative orders which are mixed up with external functions?—Yes, there are some of a mixed character, and some almost wholly active.

776. Partly mercy and partly education, you may say?—Yes.

777. Mr. *Talbot*] Are there any such purely contemplative institutions in England?—I have heard of one, at least.

778. With reference to the position of monks, you agree, I think, that a monk *vi termini*, merely by being a monk, is subject to the law?—Yes; I think, *vi termini*, a monk is a person bound by vows, and if so he is within the laws and illegal.

779. Then we may take it that it is merely by the mercy of the public that every monk is not proceeded against?—I think so; it may be partly from the difficulty of proving it in a criminal court.

780. If anybody liked to interfere, any monk might be proceeded against?—Yes.

781. With reference to the convents, does your definition of a convent imply a place in which perpetual vows are taken?—Not perpetual vows.

782. Vows of any sort?—I made that distinction, because I believe that there are certain communities in which the vows are taken for terms of years, or for a year, but I think I may say that, as I understand a convent, it is a place where vows are made and kept.

783. You would not consider an establishment in which persons lived together for religious purposes or charitable purposes, without taking vows, to be a conventual establishment?—No, I should not.

784. As regards the doctrine of superstitious uses, is it possible to say in a sentence what that covers, or is it too long to go into?—I am not aware that there is anything which would now

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be regarded as a superstitious use, excepting the masses for the dead, or prayers for the dead. I think that, as the law now stands, trusts for masses for the dead or prayers for the dead would be regarded as superstitious.

785. You put the two on the same footing?—Yes.

786. Mr. *O'Reilly.*] A good many questions have been put as to whether as a matter of fact most convents in England would come under the jurisdiction of the Charity Commissioners; now I want to call your attention to one point; in the case of many convents of women in England, the property is the property of all the members jointly, and they may dispose of it as they like by joint consent; for instance, having a house or a school in London, they may sell it and purchase another house elsewhere, and go and live there, and teach a similar or a different school there; would it be possible to bring property given to such an institution as that under the jurisdiction of the Charity Commissioners, where there is no obligation attached to any place?—Certainly not; although the purposes of the institution were charitable purposes, the jurisdiction of the Charity Commissioners would attach so far only as the property was given or left by way of charity for those purposes, and the jurisdiction of the Charity Commissioners certainly would not affect their own property over which they had still reserved the ownership, nor would it affect mere subscriptions.

787. The property of most of the convents being, however, derived from the property of the members who, as I say, may be moving about from one place to another, under no obligation of place, although they devote that property wherever they are to charitable purposes, would not that render it impossible for the Charity Commissioners to have jurisdiction as respects that property?—Yes; and from my experience even the active and charitable orders have avoided as a rule settling their property, so as to subject it to any charitable trust, and they have reserved the absolute ownership of it, and my experience is, that they sell it from time to time, and not uncommonly.

788. *Chairman.*] Do we rightly understand that there is no declaration of trust at all?—I think that generally speaking there is no declaration of trust at all.

789. But property is conveyed to them in their names as individuals?—Invariably.

790. And you say that there is no recognition of any trust or obligation on their part in its administration?—I believe that you would not find any written declaration of trust in any case, I might say.

791. But is it not usual to make the conveyance of the legal estate to some person not immediately connected with the monastery, but where the trust is either for a religious purpose, or for the monastery itself?—I think that the usual practice is to select some three or more members of the institution itself, and to convey to them without any declaration of trust whatever.

792. But you have never heard of the people who had the legal estate not knowing what the trusts of that estate were?—No, excepting that by accident the legal estate might descend upon the heir of a surviving grantee.

793. But it is not usual to make the conveyance to some person not connected with the monastery, who presumes that the trust is for some pious purpose, and leaves its administration to some other, who he assumes will act faithfully, and does not inquire into it himself?—No; I think that the thing has been done in the loosest possible way. When they have bought their property they have selected three or four names, the youngest of the community, perhaps, and caused it to be conveyed to those persons.

794. Supposing that there has been a bequest to so many persons by name to take the property in joint tenancy, but that these persons are monks and live in the monastery; would that be void from the mere circumstance that these persons were monks?—No, it is thus: if it was a devise to three gentlemen by name, being monks, and it could not be shown that the testator in his lifetime had communicated to them any intention or expectation of his as to the purposes to which they would apply the property, then in law they would be absolute legal and beneficial owners; but, on the other hand, it is well settled that if the testator communicates to the devisee or legatee of the property his intentions as to the application of the property, whether for any charitable purpose or for any other purpose, that devisee cannot take beneficially, but he takes as a trustee, for those purposes, if legal; or, if those purposes be illegal, then the heir-at-law or next of the kin is let in.

795. Does it ever arise that the devisee, or the persons profiting by the trust, are compelled to declare what they know of the trust?—Yes; I know several instances of cases in which Bills have been filed against devisees to put them to their oath as to whether in the testator's lifetime he communicated to them what he wanted them to do with the property.

796. Do they consider that they are bound to disclose under those circumstances?—Undoubtedly they would be bound to disclose; they would be put to their oath, and have to put in an answer in Chancery stating the circumstances.

797. Have there not been instances where they have refused to disclose?—I do not know of any such. If there were any such, the parties were undoubtedly attached for contempt of Court.

798. If the bequest were made to persons by name as joint tenants, they would pay the duty as strangers, would they not?—If they were strangers in blood they would pay the 10 per cent., certainly.

799. If one of the joint tenants died (not in the testator's lifetime, but after this property is in possession by the tenants), and another is named in his place, the duty usually is paid upon a succession of that kind?—If one of the (say) three joint tenants dies, there is a duty payable by the two survivors, undoubtedly.

800. They are seised of the whole?—They would become by survivorship seised of the whole.

801. But the practice is always to keep the trust alive, is it not?—You mean it is to take anybody out of the deeds who is likely to die; very likely that is the practice, but they cannot always calculate upon that.

802. The State loses the succession duty in that case?—Undoubtedly; if they can contrive it, there does not take place a death of a person who is owner of the property, and then the law has no right to any succession duty. I am speaking, of course, of the beneficial interest; the beneficial interest is the thing that is taxable, and the tax accrues

accrues when a transmission of interest occurs by death.

803. Mr. *Matthews.*] In the case put to you by the Chairman, the State ought not to get succession duty, ought it?—I understood the Chairman to start with a case in which there was a devise to persons without any trust.

804. Mr. *Cogan.*] It is the same in any other case of joint tenancy?—Yes; I am simply stating the ordinary law of joint tenancy.

805. Mr. *Matthews.*] In point of fact, in that case there are no trusts; the benefit enjoyed by the community is simply by one, however?—If you have an absolute bequest to those three persons, they are in law and in equity absolute owners of that property, assuming that there has been no communication to them in the life of the testator of any intention on his part.

806. About vows; there is nothing, is there, to prevent a Protestant at this moment in England from taking a vow to live in poverty and to live in chastity, or to live in obedience to a superior?—Nothing that I know of; but I think that they would all go for nothing.

807. So far as any personal obligations should be sought to be founded on a law of that sort, the law of England would not enforce them, you mean?—It would ignore them altogether.

808. But supposing that a contract respecting property and the enjoyment of property be coupled with vows of that kind, the law of England would not fail to enforce that contract simply because it had been accompanied by such vows?—If I understand the question, it would not.

809. If a man, at the time that he took a vow of poverty, chastity, and obedience, agreed to pay a sum of money down to the institution on condition of being permitted to live there, so far as that was a contract of the one to pay the money, and of the other that he should live there, the law of England would not refuse to enforce that part of the contract?—No.

810. You are content that Roman Catholic vows should be treated in the same way?—Yes.

Tuesday, 31st May 1870.

MEMBERS PRESENT:

Mr. Bourke.	Mr. O'Reilly.
Mr. Cogan.	Sir John Ogilvy.
Mr. George Gregory.	Mr. Pease.
Mr. Jessel.	Mr. Pemberton.
Mr. Matthews.	Mr. John Gilbert Talbot.
Mr. Newdegate.	Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. JAMES VINCENT HARTING, called in; and Examined.

Mr. *Harting.*

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811. Mr. *Matthews.*] YOU have been, I believe, many years in practice as a Solicitor?—I have.

812. And you have been largely concerned as a solicitor for various convents in England?—I have.

813. I will not take you through the whole law that we have travelled through already; have you heard the opinions that have been expressed to the Committee as to the doubtful legality of convents, and the illegality of monasteries?—Yes, I have. I believe convents, in the true construction of law, to be equally illegal with monasteries, and I have always acted upon that opinion.

814. The honourable Member for Dover asked, at our last meeting, whether there was any decision upon that subject: have you made yourself acquainted with the arguments in the Queen's Bench, in the case of Saurin and Starr?—I have, so far as Mr. Mellish's arguments went, which is the only part of the case that I know anything about.

815. Was it there contended that the effect of the 17th section of the 31 Geo. 3, c. 32, was to leave convents illegal?—It was.

816. And did the Court of Queen's Bench grant a rule to show cause upon that point?—It appears in the shorthand writer's notes that it did.

817. That case, I believe, was settled, and cause was never shown against the rule?—Of that I know nothing.

818. You may be aware that the cause was compromised?—It was popularly said to be compromised.

819. So that no decision was ever got beyond granting the rule on that point?—So I am informed.

820. Do you know any other recent authority on the illegality of convents?—I think there has been no recent authority on that subject; the only instance in which, so far as I know, the case arose was in a discussion in the House of Lords. In the year 1800 a Bill was introduced and passed through the House of Commons, to prevent the extension of foreign convents. At the time of the French Revolution, it was considered that the number of emigrants, clergy, and others, had become so numerous, and the houses growing up were so many, that all the mischiefs sought to be restrained by the earlier penal Statutes would arise again. A Bill was therefore introduced into the House of Commons, which was passed in a house of 76 only; 52 voted for the Bill and 24 against it. The Bill was sent up to the Lords on the 10th of July, in the year 1800, and it was opposed by the Bishop of St. David's (Dr. Samuel Horsley) and supported by the Bishop of Winchester. Dr. Horsley's speech was an able one, and a very conciliatory one. He argued against the mischiefs sought to be restrained, and he attempted to show that the existing laws (for two Acts had then been passed for the relief of Catholics) guarded against all the mischiefs which were then sought to be restrained. But a great deal had been said in the House of Commons upon the subject of professions; it was said that, in one of the convents mentioned, some professions had taken place, particularly of two ladies named. Dr. Horsley appears to have informed himself upon the subject, and to have been willing to communicate that information to the House of Lords; and he began by giving their Lordships their names and description, and showing that the novitiate which had been completed in England had been commenced in a foreign house, and that, therefore, it was not open to anything that had been said about it in the House of Commons, and he was going into further details, when the Lord Chancellor, Lord Loughborough, stopped him. He said that it was very improper to enter into any such matters; that the thing was certainly a high offence and whatever might be said in extenuation could not relieve the parties from the severe penalties which no doubt had been incurred, and that it was, therefore, improper to give any details about them. The Bill was thrown out.

821. That opinion was expressed by Lord Loughborough, sitting as Chancellor?—Yes.

822. The penalties of the Emancipation Act against men are something superadded to the then

then existing statutory law?—I have always thought so.

823. What are the Acts upon which, in your judgment, the legality of convents must be determined? — Curiously enough, until the 1 Geo. 1, st. 2, c. 50, there is only one Act, I believe, throughout the whole penal code, in which the word "nunnery" or the word "monk" occurs.

824. What Act is that?—That is the Act of the 3 Chas. 1, c. 2, which is an Act to restrain sending children abroad for education, or contributing to support monasteries or nunneries, or monks and friars; in fact, there is an especial mention of things there which does not occur in any other previous Act.

825. That Act is repealed?—Yes, by the 7 and 8 Vict. c. 102.

826. What are the subsisting Acts from which you would infer the illegality of convents?—I cite that Act as showing that convents were within the intendment of the earlier Statutes, and also, because that Act was not repealed until 1844, and was not repealed, therefore, at the time that the Act of 10 Geo. 4 was passed.

827. But I wish you to state to the Committee what are the enactments from which you infer that the illegality of convents now subsists?—The words used in the former Acts are "Religious persons;" there is no distinction of sex in any of them, nor any reference to sex, except in that one single Act to which I have referred, excepting in the saving clause in the 10 Geo. 4; therefore all that would make religious orders of men illegal would equally make illegal all institutions of religious women.

828. But I do not understand that there are any statutory enactments left now unrepealed which render convents or monasteries illegal except the clauses of the Emancipation Act?—If you refer to the three Relief Acts which were precedent to the Emancipation Act, you will find (and it is a curious fact) that with the exception of portions of sections of an Act of 1 William 3, there is no act repealed whatever; all those Statutes stand down to the years 1844 and 1846, that is to say down to 7th & 8th of the Queen, and the 9th & 10th of the Queen. Down to that period there was no repeal of any Act whatever, except portions of sections of 1 William 3; so that all those Acts remain, and the Act of 31 Geo. 3, and the Act of 18 Geo. 3, merely relieve upon terms, and do not relieve unconditionally. There is only one clause in that latter Act which is a healing clause, the second section of 18 Geo. 3; no doubt, referring to those acts providing for the registration of popish estates, and that no estate should pass by any popish deed, which deed was not enrolled within six months from the date of its execution.

829. But since the 7th & 8th of the Queen, and the 9th & 10th of the Queen, what is it, in your view, that renders convents illegal?—I do not think that those statutes touch the question at all; they merely touch penalties; they do not repeal the Acts *in toto*, but only portions of them; and, oddly enough, some of those portions which are said to be repealed by those Acts have been repealed by former Statutes, and in places where you would hardly look for them.

830. That is your view; that those repealing Acts of the present reign repeal penalties only, but do not modify the illegalities which are the result of the former Acts?—I say that, to a great extent, that is so. Some Acts were repealed altogether; other Acts were repealed partially.

831. At any rate, the 17th section of the 31st of Geo. 3, c. 32, has never been repealed?—It has never been repealed, and is still law.

832. And, in your view, is the effect of that section to leave it at least in doubt whether convents do not remain illegal?—Since I understood the subject, or thought that I understood the subject, I never felt any doubt about that.

833. Has there been a change in the character of the religious orders, since those penal Statutes were passed?—A very great change.

834. At the time of the penal Statutes there were a great number of Contemplative Orders, were there not? —Yes.

835. And at the time of the first penal Statutes the effect of all solemn vows was civil death and the loss of civil rights?—That was their effect.

836. Those effects no longer follow now, do they, from any vow take non religious profession? —None of them.

837. So that at the present time, in England, there is no such thing as a solemn vow as it was understood in the days of the penal Statutes?—So far as I have been able to inform myself on the subject, there is no such thing in England as a solemn vow within the meaning of these Statutes.

838. Have the Contemplative Orders decreased in this country?—In that speech of the Bishop of St. David's, to which I was referring just now, he gives the House of Lords some information, and quotes some statistics in reference to the state of Catholic establishments at that time in the kingdom; and he tells them that there were 22 houses of religious women then in England, of which four were French, eighteen only being English; that is to say, they were emigrant convents that had come in from abroad, English religious women previously to that time having had no home here, nor the means of a home here, by reason of the penal Statutes. Now of those 18, three have been absorbed into another house, and one at least, if not more, has become extinct.

839. There were four foreign houses, you say, at that time?—Yes; and they returned to France, I believe, after the Revolution; I am speaking now only of English convents.

840. To your knowledge, have there been any fresh Contemplative Orders in England since that date?—There is only one instance of that, and that is an affiliation of an existing house. I do not mean to say that there have not been convents introduced here from abroad, foreign members or ladies professed abroad who have come here, but they are not Contemplative Orders; they are not what our houses were before the Reformation, and what they were at the time which we are just now speaking of; that is to say, the time when the penal laws were passed.

841. And with regard; to the remaining 200 and odd houses that exist in England, are the residents composed of active orders?—I should think that four-fifths of them are active orders. A great number of them, though called convents, in truth are not convents; a priest, for instance, has a poor school; if the mission is poor, he cannot afford to pay a salaried teacher or mistress; he can get it cheaper done by these ladies, who are much better qualified for that work, and who do it for nothing; he gets two or three of them, and that is immediately introduced into our Directory as a convent, but it is in truth no convent.

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842. Is the result of this change in the character of the vows and of the religious orders of women in England, that there is no longer the same conflict between the law of the Church and the law of England that used formerly to exist?—There is none. Before the Reformation there was no conflict; there was a comity between the law of the State and the law of the Church which was perfectly well understood; but, of course, at the breach with Rome when there was a change in religion, the whole thing was altered, and the State ceased to wait on the Church as it had done before.

843. Does it appear to you that the reasons for the former jealousy against convents and monastic establishments no longer exist?—I think it is impossible to read the old Statutes without seeing that they were directed against foreign interference in any way whatever. The clergy who were prohibited from returning here, the religious orders that were prohibited from returning here, were not the home-bred clergy, not the Marian clergy who remained in Elizabeth's time; but they were Jesuits, seminary priests, and "like disobedient persons" (that is the description in the Act) coming from beyond seas.

844. All those reasons for prohibition no longer exist now?—They have all ceased now; we have no foreign education now; happily, it is all conducted here at home, and the State must have derived infinite advantage from that.

845. Coming now to the Act of 1860, I will not take you through the reasons again, but do you concur in the opinion that has been expressed to the Committee, that convents and monasteries, speaking generally, are not charities *per se*?—They are not charities, because there is no endowment.

846. Independently of that, would an endowment for the benefit of a convent or monastery, *simpliciter*, be in your view a charity?—It would depend upon the form of the gift; I know of none such as you have indicated, and therefore I cannot speak with reference to that.

847. Do you know, from your own professional practice and experience, what was done under the Act of 1860 by the Roman Catholics?—Yes, I know largely; for I was occupied for many months in examining a great number of deeds and in revising others for persons who consulted me upon the point, as to what deeds should or should not be enrolled.

848. And did you, after the Act of 1860, cause to be enrolled all such deeds as, in your judgment were charities?—I enrolled all deeds, and I advised to be enrolled, if they were not in my hands, all deeds that came within the Act. An exception was taken here the other day, which I heard with amazement, that the deeds enrolled were deeds conveying the legal estate only, and not deeds declaring a trust.

849. Will you explain that?—It is perfectly clear, as it seems to me, that the only deeds required to be enrolled by 9 Geo. 2, c. 36, are the deeds by which the legal estate passed, or by which the money, if it were not money in the funds, passed, or those other interests which were to be the subject-matters of the deed; the State did not concern itself about trusts; it only wanted to know what amount of property was to be dedicated to these purposes, and having once got that information, it could put its hand upon that property at any moment; I mean purposes in mortmain, or objects tending to mortmain. It knew exactly where the property lay, and that was all it cared about. As for the particular trust, there was no protection in that, because anything might have been enrolled as the trust, and the particulars which the State desired to acquire might never have been communicated, or might have been only imperfectly communicated, and therefore all that that Act required was the enrolment of the deed by which the legal or other estate passed, and that, as I take it, is settled law. It has been settled affirmatively, and it has been settled negatively. It was settled affirmatively in the case of Doe & Lloyd, which you will find in 1st Manning & Grainger, page 671; and it was settled negatively in another case, that of Doe & Waterton, which you will find in 3rd Barnwell & Alderson, page 149. In the first case that I have mentioned, as reported in Manning & Grainger, there were several objections. One was, that the enrolment was not proved, that amounted to nothing. The deed was a Methodist deed relating to some Wesleyan property. Now this occurred in 1840: but in 1832 that connection, in order to save expense and trouble to their charities, had framed a model deed which was enrolled, and, as I understand from communication with members of that body, has been in use ever since. Therefore, it was only necessary, in taking a conveyance for any land required for their purposes to make reference to the model deed. Then it was objected on this occasion that the reference to the model deed was no declaration of trust, and that without a declaration of trust the enrolment would be void; that it availed nothing, inasmuch as the Act of Geo. 2 required the enrolment of a deed of trust and not of a deed conveying the legal estate. But the Court held expressly in that case, that the reference to the model deed was surplusage; that all that the law cared about was the enrolment of the deed itself, by which the legal estate passed. Then in the next case, which was a copyhold case, the negative of that arose. There it was attempted to supply the defect of the deed by which the estate passed, not being a deed indented, and so forth according to the requirements of the Act of Geo. 2, by showing that upon the same day a declaration of trust had been executed, and had been enrolled. The Court said, "That is nothing to the purpose; there is no law requiring the enrolment of a declaration of trust; the gift is void; it is not in the form of the Statute."

850. On the part of the Charity Commissioners, has any objection ever been made to you, that the declaration of trust of these deeds which you enrolled for Catholic charities has not also been enrolled?—When I have been at the office, it sometimes has. I have told them always that I have done all that the law required.

851. Has that explanation been accepted by the Charity Commissioners?—There was an Act passed of the 24th of the Queen, chapter 9, I think, which now provides that the declaration of trust shall be enrolled, and not the conveyance where there are two deeds, and that the enrolment of the declaration of trust shall secure the same protection to the charity which the enrolment of the deed in the terms required by the Act of Geo. 2 would have done, if still observed.

852. I presume that in many of those cases of enrolment just after the Act 1860, there were no express deeds declaring the trusts, but that the

e trusts were derived only from usage?—You e we had no protection as the law then stood, d therefore, as a rule, there were no trusts atever.

853. You did enrol in all those cases all that u could?—I enrolled everything that I found have been acquired at any time subsequent to ly 1828, for that is a most material point hich was omitted to be noticed the other day, cause in that year you will remember an Act Parliament was passed, 9 Geo. 4, c. 85, d known as Duval's Act, curing defects of le arising from want of enrolment. There ere a great number of Dissenting charities in e same position as ourselves; under the penal tatutes directed against the Dissenters, all places worship and schools were in a precarious ate, and they did not enrol their deeds; and the me mischief had arisen, so the Act recites, in re- rd to Protestant charities. That Act of 1828 als the defect as to all deeds for valuable nsideration up to that time without re- iring them to be enrolled. Then when our ct of the 23rd & 24th of the Queen, the ct of 1860, came, I suggested at once to ose who had the conduct of the matter, "You ust give us, at least, the same protection which rotestants and Dissenters have had, and put s all on the same footing; the expense will be ery great in our case, even for subsequent deeds; ou relieve them from the necessity of enrolling eir deeds not enrolled prior to the Act of the 9 f Geo. 4; give us the same protection;" and you ill find that there is a clause added in the Act f 1860, giving us the same protection. So that only looked, in the first place, at the date, and nything before that date was put aside; and s the largest class of our deeds are before that eriod, that may account for the numbers that eem to surprise Mr. Erle or the Charity Com- issioners. I enrolled within three months 255 eeds out of my own office; and I paid 586 *l.* for he enrolment; so you may judge what the cost ould have been if an enforced enrolment had xtended to all our deeds.

854. Mr. *Newdegate.*] In what year did you o that?—In 1861, I think; you must consider he time that all those deeds took to examine.

855. Mr. *Matthews.*] Has there been any esitation, as far as your professional knowledge nables you to speak, in acting under the Charity Commissioners, and in enrolling deeds of Catholic harities?—Not the slightest.

856. Whenever there has been a deed relating o a charity proper, has it always been enrolled o far as you know?—Yes, so far as I know, lways; and so far as having recourse to the Com- issioners goes, I know that when occasion has risen, I have always gone there and have found very courtesy and assistance. One of the most ntricate cases they have had in the office I be- eve, I gave them.

857. Do any of these deeds that have been nrolled, either in 1861 or since, relate to pro- erty enjoyed by either convents or monasteries? -Not directly.

858. Do you mean that there are some of them hat relate to schools or institutions of that kind hich are managed by persons belonging to onastic orders?—That is what I mean.

859. Supposing an endowment to be provided or a school, that would be a charity, and a legal harity?—Yes.

860. And it would not the less be a legal charity because it happened to be superintended by monks or nuns?—Management would not touch, of course, the validity of the trust.

861. Therefore it would not be an illegal charity on that account?—No; because the charity is created irrespective of the persons who have the management.

862. But if there is a trust expressly for the benefit of monks or nuns, in your view, is that an illegal trust, although those monks or nuns do happen to devote themselves to educational or other charitable purposes?—My opinion is, that if the deed of a school had coupled with it a clause imposing the condition of the management of it for all time by a religious order, that trust would be void.

863. I put to you the case of a deed in trust for the benefit of monks or nuns who happened to devote themselves to educational or other charitable purposes?—If there happens to be such a deed, I believe it to be void.

864. Mr. *Jessel.*] Have you enrolled any such deed?—Certainly not.

865. Mr. *Matthews.*] If any such deed existed, you would, of course, avoid enrolling it as a matter of duty to your clients?—Yes.

866. But, so far as you are aware, you know of no such deed?—It is not the practice at all; the state of the law does not admit of it; people will not invite risks of litigation in the management of their property.

867. As far as your practice goes, how is the property that is enjoyed by convents held?—It is held by individuals, purchased by individuals, and held by them as their own absolutely.

868. *Chairman.*] You said "purchased;" do you mean that it could be acquired in that way?—That is the only way in which it can be acquired, so far as we know.

869. It could be acquired by gift, could it not?—It could be acquired by gift; but those gifts do not exist.

870. Mr. *Matthews.*] You do not know any instance of such a gift?—I have prepared a great number of deeds, and I never saw any such deed.

871. However acquired, whether by purchase or gift (which latter, we hope, may occur hereafter), you say that the property is vested in individuals absolutely?—Absolutely.

872. Without any declaration of trust?—Without any declaration of trust, in joint tenancy.

873. Then is the title continued in the way in which every other joint tenancy would be?—Yes; not necessarily keeping up any number, because that is discretionary with those in whom the property is vested; they do as they like.

874. They put in fresh names from time to time, as occasion arises?—Sometimes it is done at the instance of persons who may want to retire. There is no obligation of any sort or kind to keep up the number; they are perfectly free.

875. In practice, that is the way in which it is done; that fresh names are put in?—Yes.

876. In so far as the community enjoys the benefit of such property, is that enjoyment dependent merely upon the pleasure and honour of the owners?—Merely upon the honour of the owners.

877. Are the owners free in law to do what they please with that property; can they sell it or dispose of it?—I take it that neither at law nor in equity could anything be enforced against them contrary to their own will and pleasure.

878. Of course that property would be liable to their

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their creditors in the event of bankruptcy?—I apprehend that it would.

879. And if not, at death it passes to their heirs, next of kin, or devises, as the case may be?—In the case of joint tenancy, if there was no surviving joint tenant and no will, it would of course pass as to real estate to the heir, and as to personal estate to the legal personal representatives.

880. And on the death of one of several joint tenants, it survives to the others?—Yes.

881. And are the duties paid corresponding to those different transmissions of property?—When those occasions arise, they are.

882. You have, I believe, prepared yourself to give evidence to the Committee as to the property which is actually held by existing convents in England, or members of convents in England?—I do not propose to enter upon any detail, but in the aggregate, speaking generally of the convents as a body, and not of individual cases. I have informed myself with great pains upon the state of their property both real and personal, and the result generally, I am prepared to communicate to the Committee. The Committee will forgive me for saying that I do not intend, in answer to any question, to enter upon details.

883. You represent professionally, I believe, 200 convents or more?—Yes, for this purpose, I do, with my friend, Mr. Arnold; he and I together have been charged to represent not only our own clients, but the ladies of other convents have requested us to do the same for them; we act for them in all these matters as their solicitors.

884. Having information about the state and condition of the property enjoyed by members of all those communities, you are prepared to state the aggregate results to the Committee?—I am; but I will not give any data by which any algebraic or other formula can be formed to arrive at what I do not want to give.

885. We will take it in the shape in which you will give it; I think, I understand you to say, that it is about 200 convents that you represent?—Yes; in fact, I represent more than those, because I have been honoured by instructions from the Scotch convents, and I represent them also here, this inquiry having been extended to Great Britain.

886. How many do you represent in all on this occasion?—About 215; a little over 200 in England, and the balance in Scotland.

887. Can you tell us the number of inmates in all those convents?—If I tell you the number of inmates, and give you any other like information, I give you a result which I do not mean to give. I have ascertained what the whole personal property of the convents is, and what their real property is.

888. I am not asking you as to the number of any particular convent, but the number of inmates in all those convents?—If the inquiry stopped there, and no further inquiry is made as to the amount of property, either real or personal, there is no difficulty in stating it.

889. Have you the aggregate amount of property, real and personal, held for their benefit?—Yes, I know it.

890. Will you state it?—I cannot state that; but with your permission I will give it in another form. As to real estate, each nun would be entitled to two roods and 34 perches of land, with a small decimal.

891. Is that property that is held in fee, or is some of it leasehold?—All leaseholds above 60 years I have treated as freehold; it is only a small quantity that is long leasehold, but I have treated that as substantially freehold for the purposes of this inquiry.

892. Is that any more in the aggregate than is required for the occupation of the different communities?—No; and that includes the gardens and courtyards, and site of the house.

893. Do you know of any case in which a community of nuns enjoy the benefit of land which they have let to others?—Very few of them have land to let.

894. Then this amount of land that you have stated is land which, in point of fact, they required for their own occupation, for residences and gardens?—Yes, with one exception (and that is an exception that was forced upon them from the necessity of their position, where they have been obliged to buy land that they did not want, in order to protect themselves from encroachments on one side), there is not much land let, but the whole for the most part is in the hands of the occupants.

895. In point of fact, the land is all residential?—It is all residential, or very little beyond that. The exceptions are scarcely noticeable, and then only from circumstances such as I have mentioned.

896. Have you known from time to time cases of sales of a house or land the benefit of which was enjoyed by a convent?—If you mean cases where religious women were the occupants, I have known such, and I have been concerned in them. I wish to be accurate, and therefore I will state that the proportions which I am now giving relate to England only. The laws of England and Scotland, as you are aware, are perfectly distinct in reference to the dedication of land for these purposes; therefore I am speaking now of England.

897. Have you anything to add in your own way upon the subject of the land which is enjoyed or occupied by these religious women?—I have only this to say, that having arrived by a very careful computation at this result, I find that they occupy only about one-third of the estimated quantity per head with reference to the population and the corrected acreage of the kingdom.

898. Will you make that a little more intelligible to the Committee?—The corrected acreage of England and Wales I find to be 37,321,323 acres, and the population at the last census was only 20,063,793. Now if you divide the one by the other you will find that that gives rather more than an acre and three-quarters to each inhabitant, and we have only got two roods and 34 perches; we have not got a third, therefore, of what we are entitled to represent.

899. What statement have you to make as to the personal property enjoyed, I will say, by communities of this sort, or belonging to members of such communities?—I find by an equally careful computation that if they were to take in severalty they would each receive 6 *l.* 13 *s.* 3 *d.* per head per annum.

900. Reckoned at how much per cent.?—I have taken the nominal capital; I thought that the fairest way; instead of ascertaining the value of the different securities held, I have taken the nominal capital in every case, and computed the interest at 4 per cent.; I do not think that

that any objection can be taken to that, and that is the result.

901. I asked you before, whether you have known instances of lands belonging to the members of communities, having been sold and diverted from the purposes of those communities? — I have; and I was going to mention also, that so far from there being any perpetuity, every one of the 18 convents referred to have changed their residence, within my personal knowledge, three, and sometimes four times; I am speaking of the 18 convents mentioned by Dr. Horsley, in his speech in 1800.

902. Now you have told us about the resources of these ladies; will you give us some idea of the way in which they employ their time; are they not engaged in educational work? — Yes, largely in education; in the education of the upper classes, of the middle classes, and of the poor, and in the care of orphan children, charging themselves with prison children, children from workhouses, the reclamation of penitent women, and otherwise. The results from the whole kingdom, I think, I can give you; and that there may be no mistake, I have not trusted to my memory, but have put them on paper. I find from very careful examination of the books kept, that in England and Wales these ladies educate, of the upper class, 990 young ladies; of the middle class, 3,115; of the poor, 56,612; and of Sunday scholars, 4,604; making a total of 65,321 children.

903. When you speak of the poor, may I take it that that education is given gratuitously?—Gratuitously; I find also that in England and Wales, 379 penitent women, who had been reclaimed, are housed and provided for.

904. Mr. *Pease.*] Are you now speaking of one year?—These are now actual occupants of refuges; the number has been sometimes larger, and sometimes smaller. In Scotland of the upper class there are 34 young ladies in the convents; of the middle class there are 377, and of the poor there are 3,299, making a total of 3,710.

905. There again, are the poor children gratuitously educated?—Yes; and of penitent women, 102 are now in refuges in Scotland.

906. Can you give us the figures showing the amount of relief given to the sick or to the poor?—That I endeavoured to ascertain, but it is difficult to estimate, because it is given in so many forms; it is given in clothes, it is given in food, it is given in medicine, it is given by occasional lodging, where there is the convenience for receiving them into the houses; so that it would be impossible to make any estimate at all of the amount given, but it must be very large. Then, besides, there are the sick, visited by hundreds and thousands, visited at their own houses and relieved.

907. Mr. *O'Reilly.*] Will you add the number in hospitals?—I have not taken the inmates of the hospitals; I have considered those to be rather in the nature of charities, and not to come within the purview of this inquiry.

908. Mr. *Matthews.*] You have said already that the property as a rule is vested in individuals without any trusts; I want to know in what way a person entering into one of these communities habitually arranges his or her worldly affairs before profession?—If she has property it is generally expected that she brings a certain sum with her, as a contribution towards her support while a member of the community, and those sums vary very much; they vary not only in different convents, but they vary even in the higher convents with reference to the ability of the person coming in.

909. What sort of amount would you say is about as much you have known given at a time?—A thousand pounds was considered as the old amount.

910. For a person in what class?—In the upper classes.

911. Are a great many members admitted without any dowry at all?—A great many.

912. What proportion should you say are so admitted?—The proportion is considerable of those who are admitted quite freely. Some have expectancies, and they provide by an arrangement that, if they should succeed to that property, so much shall be paid by them.

913. Assuming a woman having property to enter one of these communities, and to become professed, and that she would devote to the uses of the community some such sum as you have mentioned, how does she deal with the rest?—It is always settled previous to profession.

914. In any way she pleases?—Perfectly.

915. Independently of the community?—Absolutely independently of the community.

916. Is it in your experience that ladies, before becoming professed, make wills?—They do make wills, but those wills are made for a particular purpose; they are made to protect themselves, and those with whom they are associating themselves, against external interference in the event of their death. Nothing ever passes under these wills. I do not suppose that, for one in a thousand that are made, a shilling is ever received; but they are simply made so that if, from any cause, a legal representative is required, there is the means of raising that legal representative, and it is preferred that it should be one of the persons in the convent rather than any person *ab extra.*

917. As a rule, you mean that it is an extremely rare thing that property should be acquired by a lady after she has become a nun?—One of the oldest convents in England assured me that only in one case had it occurred, and then no claim was made by the convent, but the family insisted upon the nun taking her share.

918. That was the share of a person derived by intestacy?—Yes.

919. Excepting in cases of intestacy I am afraid that legacies to professed nuns are rare things?—Very rare, so far as I know.

920. Have you ever known in your experience such a thing?—I will not say that I have not made such wills, but as to the wills coming to be proved, that is another affair.

921. Have you anything to add upon the property of convents, or the terms on which their inmates hold and possess property?—I think not. If there is any other question that I can answer upon the subject I shall be happy to do so.

922. Mr. *O'Reilly.*] You mentioned that the dowry in convents where the upper classes become members was generally, if a dowry was brought, about a thousand pounds?—That was the old dowry. It has been reduced very much of late years.

923. Would it be within your knowledge that the usual dowry is much less in many convents, more nearly approaching that which was stated to be the case in the instance of Saurin and Star, namely, 300 *l.*?—Sometimes not more than 100 *l.*, and sometimes not 100 *l.*

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924. *Chairman.*] You state that it is very rare for the ladies who enter these convents ever to receive any fortune after profession?—Yes.

925. But is it not the case sometimes that these ladies are members of families who are in a good condition of life, and that there are marriage settlements where their portion does not accrue till the death of the parents?—That does occur; but that is always provided for before profession. The money may not then be payable; the child's portion may be very considerably in excess of the sum which she takes with her into the convent, and some member of the family will advance that sum to be repaid out of the child's portion whenever it falls in, or it is taken by way of appointment under the settlement, and she takes no more.

926. That is where a person enters a convent with the entire assent of her family?—They can receive none without that.

927. Do you state that as an invariable rule in the conventual establishments, that nobody can enter them without having the full assent of their guardians and parents?—In the case of minors it is absolutely certain; in the case of majors, of course, they are at liberty to dispose of themselves as they will.

928. It occasionally occurs, does it not, that it is very much in opposition to the wishes of their families that they enter into convents?—It is said so; but I think that, if the objections were sifted, they would amount to very little, and be found to be very insincere.

929. Did I rightly understand you to say that in England now what are called solemn vows are never made?—No, they cannot now be made in their original force; solemn vows formerly drew with them certain civil consequences, which rendered them obnoxious to the law, and which could not be effective except by comity between the civil and ecclesiastical power; that no longer exists, and therefore, as far as I know, with the exception of the Roman States and Spain, and possibly Hungary, no solemn vows, in the old sense, in the sense in which the phrase is used in the old writers can be made anywhere.

930. But there are what are called final vows?—In many orders nearly the whole life is a probationary life. The person first entering is a postulant; she or he then becomes a novice, and that for a period of one, or two, or three years; then they are admitted to be *quasi* members of the association, and that lasts for a further probationary period, sometimes seven, or eight, or nine years, and it may be extended at the will and discretion of the superior, according to the capacity of the person. If it is thought that they will persevere, then they are admitted to make their final vows, and they become then full members of the association; yet a great number are associated with it who never make their final vows at all.

931. It has been stated to us to be usually eight or nine years after entering the convent that the final vows are taken?—Yes, but all those are periods capable of extension at the will of the superior, and according to the circumstances of the case.

932. It is just preceding that taking of the final vows, that the arrangements with regard to property are made, is it not?—They are made before they are admitted to any association whatever.

933. When is the will made; is it upon merely entering the convent?—No; it is after what I may term the first probationary period is passed, after the postulancy and the novitiate, and immediately before admission to association.

934. Is there any period fixed or anything ascertained with respect to the time when they are required to make their wills?—The constitutions of these bodies vary; in some of them, it is at one period, and in some at another; but the period in every case is capable of extension (not contraction), at the will of the Superior.

935. Then there is nothing invariable in the rules that regulate the convents?—Nothing in that respect.

936. Perhaps you are only speaking of those that have come within your own knowledge?—My knowledge is rather extensive in that respect.

937. Did we rightly understand you to say, that you represent nearly 200 convents?—I do for this purpose, to-day, represent over 200 including the Scotch convents.

938. But does that representation imply that you have been consulted in each case?—I have been consulted in each case.

939. So far as to know the circumstances of those convents respectively?—Yes; and the information that I have given is based upon the information so received.

940. Is it the practice usually among these convents to obtain the legal services of some person with whom they are not locally connected, but who has great experience, or do they depend upon some legal adviser in their own neighbourhood?—For certain purposes, probably, every convent may have some legal adviser, but for a great many of these convents I act in all matters, and for a great number of others, Mr. Arnold acts; and so with other gentlemen in our profession. But for this purpose, which is happily not of every day occurrence, the ladies have consulted together, and they thought it better, as a great deal of the information to be communicated was of a very private nature, that it should not be communicated to all the world, but to some person in whom they had confidence, and who might use it as far as necessary for the information of this Committee.

941. I presume that they consult you about the property?—Only as to property; I have nothing to do with the government of the houses.

942. You would know what their difficulties would be in conveying their property, supposing that they desired to do so?—I am quite familiar with the mode in which their property is dealt with.

943. Did we rightly understand you that they had no difficulties when they had to convey property?—Practically there have been no difficulties. Questions have arisen upon the title, and in several instances, the persons objecting simply ask the question of me, "May we safely take this title, or do you know of anything to prevent our taking it; need we trouble ourselves to follow the money?"

944. Do you refer to persons consulting you who have sold land to the convents?—Who have bought from convents.

945. The convents have been sometimes compelled to sell, have they not?—To railway companies.

946. Have you in such cases ever heard any objection raised with regard to any question of trust?—It has been raised, but raised rather

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pro formâ than otherwise, for railways are no great respecters of persons or institutions either, and they care little for the title.

947. Do you make all the joint tenants parties to the conveyance?—Yes; and they enter into full vendors' covenants for title.

948. Did we rightly understand you that there is a frequent transfer of property held by convents?—It is becoming more consolidated now, because things are in better order, but there have been great changes within my knowledge; some of the large convents have moved three or four times.

949. You referred to the year 1800, I think?—My recollection does not go back to then, but I merely took that period, because 18 convents were then stated to have been existing in England with regard to all of which I have information. Some have become extinct, and some absorbed in other houses, but others have changed their residence and passed to another, and sold that again, and then to another, and in several instances have passed to a fourth, within my personal knowledge during the last 40 years.

950. Can you tell us the whole number of convents in the country at present?—I told you the number that I represent, which is very nearly the whole. They are called convents, but if you want to distinguish between what we should call convents and what are not, the convents would be comparatively very few. The institutions which I represent here with Mr. Arnold are, as I said, including England and Scotland, about 215.

951. With regard to the system of joint tenancy, which is resorted to to secure the property in the hands of the convents, are they careful in substituting one life for another, or in anticipating a death or retirement, and keeping up the same number of joint tenants as that to which the property was first conveyed?—No; it is sometimes observed, but not invariably.

952. You never knew a property fail from the death of all the joint tenants, did you?—Not any property in which a convent would be interested. I have known it to happen in the case of other property, property bought for a site for a school, for instance, and I am now before the Charity Commissioners to get a vesting order in that case.

953. Supposing that the joint tenants die, and that no other tenants have supplied their places, who would be the heir to that joint tenancy?—In the case of realty the heir-at-law of the surviving joint tenant.

954. And would there be no difficulty in his obtaining it?—I should be afraid not.

955. I mean the community itself would have no rights against him?—It would be defenceless.

956. Would a will made by any inmate of the convent in favour of the community itself be good against the heir?—Yes, perfectly, if made to another member; in the case of many of these institutions their property remains their own throughout the whole period, and is not brought into the common stock.

957. Do the joint tenants ever make a will?—Not expressly in reference to that property of which they are joint tenants.

958. But they would have a right to dispose of the property, supposing that they agree, as joint tenants, to do so?—Clearly they might go into the market and sell it to-morrow, the whole of it.

959. They might bequeath it to anybody in the convent?—Yes, if they liked to do so.

960. But they could not bequeath it for the benefit of the convent?—No, that would be illegal.

961. Mr. *Matthews.*] They could not bequeath it to the convent?—No, it has no capacity to take.

962. Mr. *Jessel.*] You have expressed a very confident opinion that convents are illegal; have you ever taken advice on the subject?—Yes, I have.

963. Have you ever received advice from counsel that convents are illegal?—I do not think that I have any written opinion to that effect, but it is a question which I have considered with a great many counsel, for a great many years.

964. Have you never seen written opinions from counsel of your own communion, to the effect that convents are legal?—I never saw one, I have seen many doubts, but I have never seen an opinion that they were legal.

965. Have you had your attention called to the fact that there is no existing Statute which makes a convent illegal; I mean no unrepealed Statute?—I am not at all of that opinion; as far as my knowledge goes, it is the other way.

966. Can you give me a reference to any existing unrepealed Statute that makes a convent illegal?—If you mean a convent by name, I cannot. I have already said that there is only one Act of Parliament prior to 1714 in which convents are mentioned.

967. Or can you refer me to any one unrepealed Act of Parliament which makes a religious community illegal; that is, a religious community bound by vows or by engagements?—No, I do not know that there is any Statute to that effect; but that has been the whole policy of the law, and of all the legislation that we have had upon that subject.

968. I daresay you know that very careful search has been made for such Statutes; a very careful search was made at the time of the passing of the two repealing Statutes that you have referred us to?—Yes.

969. And I think that I may say from the information that I have received, that no such Statute was found, and therefore you speak only of the general policy of the law?—There is no Statute making bequests for superstitious uses void, but the doctrine of superstitious uses is the creature of the law.

970. There is a Statute of Edward VI., is there not, which has been interpreted in that sense?—Exactly; and so has every other penal Statute been interpreted.

971. When you have a Statute so interpreted, the Statute with the interpretation has been considered to show what it was intended to mean?—And that has been the case with all the Statutes with relation to religious persons.

972. Can you tell me any unrepealed Statute which has been interpreted to prohibit, or make illegal, convents for women?—Until the French Revolution, which drove these ladies home, there was not a convent of women in England; but the Statute of Geo. 1 is unrepealed.

973. You have spoken of the tendency of legislation; now, of course you must throughout, of consideration the time when the Roman Catholic religion itself was illegal, because up to that time no doubt these communities would be treated as coming within the general purview of the law; but from that time, since the religion has been

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made a legal religion in England, has there been any decision or any interpretation of the laws to the effect that convents are illegal?—So far as I am acquainted there has not; the question has not arisen.

974. Then your opinion on the legality of convents is formed from a general impression of the law, because you cannot refer me to a Statute or to a decision?—A great many things have been affirmed to be law, for which no Statute can be named.

975. And you can name no decision for your view?—I can name no decision, because there was no matter for decision.

976. One thousand eight hundred, the date which you mentioned, was a long time ago?—Till 1832 we were under total disability; but you will find that a great many of the restraints of the penal Statutes are still in operation. All the relief given by those two Acts of the 18 Geo. 3, and the 31 Geo. 3, and by the subsequent Act of the 43 Geo. 3, is on terms with the single exception of one section.

977. That does not apply to the Statutes of the 7 & 8 and the 9 & 10 of the Queen, which is simply repealing?—Portions of sections were repealed, and some not as regards persons generally, but only as regards Roman Catholics.

978. There is no portion of any Statute remaining unrepealed which applies to religious houses of women?—There is no Statute except the Statute of Geo. 1, and the Statute of 10 Geo. 4, the Emancipation Act, which relates to men.

979. I will confine myself to women at present?—There is no other Statute on either side, either for men or women; the one is not an exceptional case, but whatever is the law with regard to one is the law in England with regard to the other. The law knew no distinction of persons; there were women recusants as well as men recusants, and they were executed indiscriminately.

980. Is there any Statute that you are aware of, except the Roman Catholic Relief Act, which applies to religious houses, so as to make them at all illegal?—No, there is none, except the Act of Geo. 1, and the 31st Geo. 3.

981. Is there any decision of any of our courts, or of any court of Ireland, to that effect?—I cannot speak as to Ireland.

982. Are you aware of any such decision?—If you confine yourself to convents, I am not; because I do not know that the case has ever arisen, and therefore I do not know of any decision.

983. Do you know of any dictum, as distinguished from a decision, which states that a religious house of women is illegal?—That was an instance which I gave you in the early part of my evidence of Lord Lougborough directing the House of Lords.

984. That was in 1800?—But the law was the same till 1832.

985. That was while the Roman Catholic religion itself was illegal; there was no question then; I am speaking, of course, since that time?—We cannot pick and choose.

986. I only ask you if you know of any dictum?—No; but if the courts are to be at liberty to draw inferences to the prejudice of what we deem most sacred things and they choose to term superstitions, you cannot rest there and say that you will confine your construction to those questions only, and that all the rest shall be open and free.

987. I ask you whether you know of any dictum to the effect that you have expressed?—I have said, and I say again, that the question has never arisen to my knowledge.

988. Do you know of any written opinion by any gentleman of eminence, or not of eminence, practising which states that convents of women are illegal?—I have never seen any such.

989. On what, then, is your opinion founded except on your impression of what would be desirable?—It is the result of conversations with a great many men through a long life, and at periods when it was necessary to examine these questions very closely in anticipation of difficulties which happily passed off, and I am only, I believe, giving expression to their opinions, and not mine; mine, of course, would be worth nothing.

990. As I understand you, your opinion as to the legality of convents is founded rather on the impression that judges might probably adapt an exploded system to the present time?—It is; I hope they would not, but I think it would be so.

991. You told us something about solemn vows and Statutes relating to them; of course those Statutes would have made the profession of a nun at that time illegal, but I cannot find anything about solemn vows in the Roman Catholic Relief Act?—No; I should be rather surprised if you did.

992. But I do find these words, and therefore I want to ask you what is their meaning, and whether they do not apply to your present religious communities, or some of them; "members of religious orders, communities, or societies of the Church of Rome bound by monastic or religious vows"?—"Monastic" would probably refer, and must refer, at least if it is to be explained in its proper sense, to solemn vows; "religious vows" would be the simple vows, which are the only vows now admissible in associations of modern date.

993. You see that the words are antagonistic, "monastic, or religious"?—They are in the disjunctive certainly; it embraces both.

994. Do not you consider that those words would apply to some "orders, members, or societies of the Church of Rome" resident here?—Clearly they would.

995. If your attention has been directed to the 33rd section of that Act you will find that the framers use a third word: "Aiding or assisting in the administering or taking any oath, vow, or engagement, purporting or intended to bind the person taking the same to the rules, ordinances, or ceremonies of such religious order, community, or society;" you see, therefore, there is the word "engagement" also used, meaning, I suppose, a preliminary step to taking vows?—I do not know what was in the mind of the framers of the Act at the time, but there is no such expression as "engagement" known to us; it has no technical signification with us, I mean.

996. Then I understand you to say that the greater part of these so-called convents are not properly convents, but would they not be communities or societies?—Yes; three or four persons residing together would be a society. A family is a society *quoad* its members.

997. But a society bound by some kind of religious vows, and belonging to the Church of Rome?—That word is pointed at one particular body, one of the most celebrated, most learned, and most appreciated in the Church.

998. Mr.

998. Mr. *Newdegate.*] Do you mean the Jesuits?—Yes.

999. Mr. *Jessel.*] The Jesuits are separately named. "And whereas Jesuits and members of other religious orders and communities, or societies"; therefore that word does not apply to them?—The Jesuit body is the only body known to us as a "society," and I am afraid that Acts of Parliament are not the best specimens of accurate expression.

1000. You told us that there was practically no difficulty in dealing with the property; have you had any instances in which property has been given to these convents in consideration of teaching?—None whatever.

1000*. No foundations of that kind?—No.

1001. Nothing in the shape of charitable foundations?—Nothing within my knowledge.

1002. You have given us the income of a nun from property as substantially something under 7 *l.* per annum, on the average?—Yes.

1003. Of course that is not sufficient to maintain even a nun?—Probably not. When they were dishoused at the Dissolution they took but 4 *l.* with them; that was the Government allowance.

1004. We are directed to inquire into the terms upon which their "income, property, and estates are respectively received;" I suppose that the difference between the income from property and the actual income is made up substantially from what they receive for teaching the upper classes?—Yes; very considerable sums are received for teaching from the upper and middle classes.

1005. I understand that the sum which you mentioned was simply what was received from property, and I do not wish you to tell me if you object to it, but I presume that the total income is very moderate?—Very moderate indeed.

1006. Mr. *Matthews.*] Could you give it us with any accuracy?—I do not very well see how I could, without going into an explanation of how I arrived at it.

1007. Mr. *Jessel.*] Would you tell us whether there is any grievance, in your opinion, which requires relief at the hands of the Legislature?—I like to see property well secured and well settled, and freed from every risk or impediment.

1008. That is to say, as regards nuns, you would like to see these doubts, which I understand from you are entertained by many members of the community, taken away altogether?—If there be no ground for them, let the law say so.

1009. And as regards monks, as to whom you have not given us any information, but as to the legal status of whom there is really no question, have you known of any difficulties in dealing with their property?—None whatever, because they have no property *quâ* monks at all; I mean, with them as with nuns, the property is the property of the individuals.

1010. Then, as far as you know, there is no property which would be liable to forfeiture by reason of the enactments of the Roman Catholic Relief Act, as regards the monks bound by vows?—My answer, perhaps, would lead to further answers.

1011. You cannot do any harm, I presume, by saying yes or no?—The Roman Catholic Relief Act does not touch the property of the persons so bound; there is nothing to prevent them holding property here; they cannot reside here, but there is no reason why I should not manage it here for them.

1012. I am afraid that that could hardly be right if the community is illegal?—You referred to the Act, and the Act is directed to persons, and not to bodies, and my answer was the same.

1013. As I read the Act (perhaps you will tell me if I read it wrongly), it makes it illegal to be a member in England of such a body?—Yes; and you must leave the country if you are.

1014. You are guilty of a misdemeanor besides, and may be punished by fine and imprisonment; that is a great wrong, in your view?—Yes, that is a great wrong; such persons residing here are all liable to that, no doubt.

1015. Then the association is altogether illegal?—The association, I take it, would be illegal, not by that Act, but a person belonging to that association incurs certain penalties which are personal to himself. What is true of the individual, I suppose, is true in the aggregate; but there is nothing in the Act about it.

1016. As far as I understand the Act, there is a recital which says that these religious bodies are to be suppressed, and penalties are imposed upon persons entering into them, and upon persons coming over here who already belong to them?—But those are all personal penalties; there are no forfeitures.

1017. But do not you, as a lawyer, consider that the effect of that Act is to make the association itself illegal?—No; because upon the hypothesis which is provided for there, the association may be abroad. The individuals may be here; if they are here, being members, they are liable to expulsion, it is not necessary that it should be an English association at all, but a foreign Jesuit is equally liable to expulsion, and to imprisonment, and to transportation.

1018. I will put the question in another way; suppose that a conveyance were made upon trust for certain persons, members of a religious community of the Church of Rome, bound by religious vows, would it be a legal trust?—The first question there would be, in what capacity they took. If they took as beneficiaries, I believe that there is nothing in the Emancipation Act to disentitle them to the enjoyment of their property.

1019. The proposition which I put to you, was a trust for the community?—Such a trust, of course, would be void by the very terms of it.

1020. It would be void upon that ground, would it not?—Not under that Act, I take it, but under the old law.

1021. I am not aware of any such old law; what old law do you mean?—There is no statutory law making it void.

1022. It is only made illegal by the terms of this Relief Act?—They were entitled to be here in any numbers they pleased, down to the passing of that Act.

1023. We will assume for the present moment that it is illegal; as far as I understand you to say, you know of no difficulty affording a ground or reason for altering the law as far as property is concerned?—No; if things were to remain as they are now, and if it is treated, as it must then continue to be treated, as private property, we want no alteration, but simply to be let alone.

1024. What I want to know is this, do you consider it a grievance under which members of the Roman Catholic communion labour, that monks are not allowed to hold property as such?—Yes, I do consider that a grievance, undoubtedly.

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edly. I think that if the Catholic religion is legalised in this country, we are entitled to its enjoyment in its fullest extent; every other body in the State has it; why are we to be excluded?

1025. Has any inconvenience been found or felt from the existing state of the law as regards monks?—It has not been felt, but we have been obliged to have recourse to a state of things which we would not willingly have had; we would rather have had a better state of things; but having no choice in the matter, we can only treat the whole as private property; so it is dealt with, and so it must continue to be. I consider that a grievance.

1026. *Chairman.*] You would not alter the laws of Mortmain, would you?—No; but I would not extend them.

1027. You would not recommend, would you, that property belonging to a religious community should be inalienable?—You might limit the quantity of land that they were to take; but, practically, they only hold enough to keep a cow or so, for the support of the inmates of the house.

1028. Mr. *Newdegate.*] In continuation of your evidence, I would ask whether your attention has been directed to the 37th section of the 10 Geo. 4, c. 7, which says, "Provided always, and be it enacted, that nothing herein contained shall extend. or be construed to extend, in any manner to affect any religious order, community or establishment, consisting of females bound by religious or monastic vows:" are you aware that that exception is an exception in favour of convents of women, as against the restrictions previously recited against the male orders of the Church of Rome?—It relieves them; that is to say, provides that the personal penalties imposed, the penalties of banishment, and transportation (for it may come to that), are not to be incurred by women, even if they should be bound by any such vow; that is all. It does not legalise them; they could not incur fresh penalties by reason of their having done it, but they are open to the old penalties.

1029. An exception from a prohibition is a special permission in law, is it not?—It would be so if those were the terms of the Act; but that is just what the Act is not; it is not an exception from the prohibition at all; it merely declares that the penalties imposed by that Act shall not extend to certain individuals; it says nothing about the prohibition.

1030. Are not they not penalties in restraint?—The penalties were to provide for the gradual extradition of the whole of these gentlemen.

1031. And is not that a restraint upon the establishment of these male orders of the Church of Rome in this country?—It is a restraint, and a restraint upon the Catholic religion.

1032. Is it not a restraint upon the establishment of the male orders of the Church of Rome, in this country?—If it were enforced it would be, because we should have no persons fulfilling that condition.

1033. And an exception from that restraint is a permission in favour of the orders of women?—That may be your construction, but I cannot follow it.

1034. You do not admit that?—No; I admit that they are relieved from the penalties, but the law in other respects is the same for both.

1035. *Chairman.*] We do not misunderstand you, do we, when you state that new penalties were inflicted by the 10 Geo. 4?—That is so.

1036. And that women are saved from the new penalties therein contained?—Yes.

1037. But that whatever penalties existed before, continue still?—Yes.

1038. Mr. *Newdegate.*] You have assented to the proposition that the penalties in the Statute of 10 Geo. 4, c. 7, are new penalties?—They are new penalties.

1039. Do you mean by new penalties that there were no equivalent penalties or restraints in the law previous to the passing of that Statute?—There were many restraints, punishment of death, forfeiture of goods and chattels, perpetual imprisonment, and a great variety of penalties.

1040. These restraints in the Statute of 10 Geo. 4, c. 7, were a mitigation of the restraints previously existing by Statute, were they not?—I take it that they were not; I take it that they were an augmentation.

1041. Then, taking it in your own sense, they were a re-affirmation of the intention of the law previous to the passing of that Statute?—In my opinion it was substantially a re-enactment of all of the old penalties with the addition of the new ones imposed by that Act.

1042. The principle was the same?—The principle was the same; if they had taken the oath, they were as much at liberty to remain in this country and hold property for individual purposes as any other inhabitant of Her Majesty's realm.

1043. Practically, is it not the fact, that notwithstanding these penalties, communities and societies of a monastic character, comprising monks and friars, do exist in this country?—Undoubtedly, and I hope they always will.

1044. Notwithstanding that Act containing those penalties?—Notwithstanding that restraint of conscience.

1045. Is it not the fact that the Jesuits, who are particularly pointed to in this Statute, or rather you would say pointed at, are now known to exist in this country and even attach the signs of their order to their names?—I do not know the fact, but they may do so; I know that there are certain indications put after names which I have often seen in print.

1046. Do you know the "Catholic Directory"?—I do.

1047. Do you consider that a work of authority among the Roman Catholic community?—So far as the Church offices are concerned it is of authority, carefully prepared and published for that purpose.

1048. It is headed, "published by Burns, Oates & Co. of London," and it is stated upon the titlepage, "*permissu superiorum*"?—That relates to the Church offices only, so far as I know and believe.

1049. Then that does not relate to the long list of chapels, schools, communities of men, convents, or the like?—Certainly not.

1050. Then this is not a work of authority?—As far as the order of the Church offices goes, it is a work of authority, not otherwise.

1051. It is a work of authority with respect to the conventual or monastic institutions or chapels, or anything else?—No, of no authority at all.

1052. Then it will be necessary for this Committee, if they wish for a work of authority, to apply elsewhere for such information?—No one would receive that book as authority; it is a useful

useful book, and it may be all true, but it carries no authority with it, except, as I said before, in regard to the order of the Church offices with which it commences, and that is published in a separate form for the use of the clergy, and the publisher chooses to superadd all the rest; I know that the Directory is not correct from the correspondence and communications which I have recently received.

1053. Do you possess information which proves to you that the list of institutions and individuals given in this work is incorrect?—In some particulars, certainly; I have not compared them, except in a few particulars, and in the few particulars in which I did compare them I found that it was wrong.

1054. On page 111 of that book, under the head of "Diocese of Westminster," I find this: "Communities of Men — Augustinian Fathers, St. Monica's, Hoxton Square, N. Carmelites (discalced), 5, Vicarage-place, Kensington, W. Charity (Fathers of), 170, Culford Road, Kingsland, N. Dominican Fathers, St. Dominic's Priory, Haverstock Hill, N.W. Jesuit Fathers, 111, Mount Street, W. St. Mary's, Horseferry Road, Westminster, S.W.": are none of these announcements correct?—That is a subject on which I have no information whatever to give.

1055. Then, at the bottom of the page, I see "Religious communities of women; Assumption (Sisters of the) of the Perpetual Adoration of Blessed Sacrament, 24 Kensington-square, W.; Carmelites, Mount Carmel Hermitage, Richmond-road, North End, Fulham, S.W.," and so on; are these not accurate announcements?—As soon as it has been declared, either judicially or by a Parliamentary enactment, that these communities are legal, I shall be happy to furnish any information on the subject that I may be asked for; but till that time I must object to do so.

1056. Your opinion is, that the convents of women are equally illegal with the societies of men?—Yes, I do believe that.

1057. Might I ask you the foundation of that opinion, because it appears that there is a difference as to the Statutes referring to them; do you refer to the general prohibitions of the English law against the supremacy of any authority other than that of the Crown, to the laws against which are called superstitious uses, and to the laws of Mortmain, as containing the principles of law which render these communities illegal?—Yes; I refer to those, and I refer also to all the acts done and enactments passed in restraint of these bodies, or the individual members of them, whether they were at home or came from abroad.

1058. Are you aware that there is a petition before the House of Commons, presented in the year 1845, from the Roman Catholic bishops in Ireland and 1,000 priests, complaining that these laws enacting the supremacy of the Crown and the prohibition against superstitious uses, and the law of Mortmain, were enforced in Ireland by the Bequest Act, which establishes commissioners for the regulation of Roman Catholic property in Ireland?—The Act of Geo. 2 does not extend to Ireland, I believe.

1059. But are you aware of that petition?—I never heard anything of the petition.

1060. But, generally, your previous answer is in accordance with those objections to the doctrine of the supremacy of the Crown, and the prohibition of what are called superstitious uses, meaning prayers for the dead, and of alienations in mortmain, which the law of England contains?—There are no people who will maintain the supremacy of the Crown in all civil matters more faithfully than Catholics; but beyond that we do not go, and therefore any restraints that may result to us from our holding that opinion with respect to the spiritual supremacy of the Crown we think are unjust.

1061. I understand generally, then, that you desire an alteration in the law of England which will satisfy the Roman Catholic opinions in favour of monastic and conventual institutions as they have existed abroad?—I do not know how they have existed abroad, but I desire that they should have a legal existence here in the spirit in which they are contemplated by the Church. How they are managed abroad I know nothing about.

1062. Then your answer is in the spirit in which these institutions are contemplated by the Church of Rome?—Yes; I do desire to see them endowed with a legal existence.

1063. And you object to any restraints upon the establishment of these institutions in that sense?—I do.

1064. And it is on account of that objection chiefly that you have stated that convents are illegal?—I do not know that it is on that account chiefly. I stated very much at large, I think, the grounds upon which my opinions, whatever they may be worth, are founded, and that among the rest. I think that anything in restraint of conscience is objectionable.

1065. I think you have stated that the real property possessed by nuns, or by communities of nuns, comes to only to 2 roods 34 perches per head?—Yes, it is so.

1066. And you also stated that that is less than the proportion of land to each of the population in Great Britain?—Yes.

1067. You did not mean that the land was possessed individually by each member of those communities?—No, clearly not.

1068. Therefore the comparison was only to show how small the proportion is; you also stated that this property consists chiefly in the sites of their residences, and gardens; are you aware that they possess farms and other property?—There are a few instances in which I do not think that the ladies cultivate the whole themselves, but some portions are let. But, with those exceptions, I believe the land is in their own occupation.

1069. Is there not a farm belonging to a convent on the borders of the parishes of Hinckley and Burbage, in Leicestershire?—I know no farm there.

1070. Do you know that there is some property attached to the convent at Atherstone in Warwickshire?—There is a small property held with the convent building, that is all.

1071. Are you aware that it is let off?—No, I was not aware of that; I thought it was all in the occupation of the ladies.

1072. You have used the word "land" as describing the property possessed by some convents, or the inmates thereof; did you use that word "land" in the sense of including houses?—The house occupied by the ladies is included, of course.

1073. But do you include it in the sense in which "land" is used in Acts of Parliament as meaning, in other words, real property?—Yes; it extends to all their real property, and the computation which I made is based upon the assumption

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assumption that it includes everything so far as it can be ascertained. The land is sometimes only an affair of a few feet.

1074. But if there were any houses in towns belonging to these institutions, you intended to include them under the term "land"?—Yes.

1075. You stated, did you not, that there has been a very great change in the character of these convents from what they were at the commencement of the century?—I did; that is to say, not in the convents then existing, because they are the same; but in the increase or supposed increase of these communities. What I wished to convey was, that the older communities, those best known to our law, and those particularly within the purview of the penal Statutes, have not increased, but have remained stationary; and the increase has been in new associations adapted to new wants and to the great increase of Catholics in certain localities, and of the poor particularly.

1076. You have, probably, seen in the newspapers some reference to the convent at Baddesley Clinton, in Warwickshire; do you know that convent?—I know Baddesley Clinton well.

1077. It is given in the Roman Catholic Directory, under the head of "Diocese of Birmingham," page 134, as "Poor Clares, Baddesley"; do you know that convent?—I know Baddesley very well.

1078. Then you know the convent?—I know the house; I have been there frequently.

1079. Are you aware that there are two classes of nuns in that convent; one class visiting nuns to visit the poor, and the other what is termed the inner circle, who are cloistered nuns?—There are some cloistered ladies, or rather I do not know whether they are cloistered or not, because on those matters I am not going to speak; but there are ladies there who do not occupy themselves in the instruction of the poor, and there are some who do; but as to what classes they resolve themselves into, I have nothing to say.

1080. They are described to us as of the inner circle?—Those are terms that I do not adopt.

1081. There is a distinction among the nuns in that convent, is there not?—There is in all; the ladies occupy themselves, some in one respect, and some in another, some in literature, some in music, some in instruction.

1082. In whom is the property of that convent vested?—They have only a lease.

1083. A long lease?—I really do not know what the term is; I believe it is a long term.

1084. A very long lease?—No, certainly not a very long lease.

1085. Perhaps you can furnish the Committee with information about that afterwards?—When I stated that I had a personal knowledge of the locality, I felt myself called upon to say a little more than I should otherwise have done, but I think I must not go further.

1086. Mr. *Jessel.*] Do you consider those the secrets of your clients?—I do.

1087. Mr. *Newdegate.*] You have stated, I think, that there is a change in the character of these convents, as regulated by the rules prescribed by the Church of Rome?—Pardon me, the change is not in the convents themselves, but in the organisation of new associations to meet new wants, the wants of modern society and modern times, arising from the great increase of poverty, great increase of population, great increase of crime, and all those many things which have to be considered and provided for in a great community. There is no change in the orders themselves, what the Benedictines were in the sixth century when they were established, they are now; the rules are the same.

1088. The rules of the Benedictines are unchanged?—As those of all the societies; the rules do not change, but new organisations spring up to meet new wants; the old communities remain just as they were.

1089. And, therefore, when we find the Benedictine Order, or the Carmelite Order, we find a community regulated by the rules of that order as known for centuries?—Yes, so far as they are applicable to modern times, for some of them could not be executed; but in principle they are unchanged.

1090. The difference is, if I might so express it, that the rules have been relaxed for the purpose of missionary and charitable work?—That is the case with some of them; but with many the education of the upper classes is the great means of subsistence, as you will see by the figures which I gave you this morning, and it is the returns from the ladies' schools which they keep which support the houses. Now, that is foreign to the original institute, but it has been admitted from the necessity of the times.

1091. "The Little Sisters of the Poor" are comparatively a new order, are they not?—They are.

1092. They are of the nature of *Sœurs de la Charité*?—They are, but they harbour the poor; they receive them into their homes and nurse them, and tend them during their last years or during their infirmity.

1093. *Sœurs de la Charité*, and several orders of that kind, are considered authorised by the laws of France, are they not?—Yes; the *Sœurs de la Charité* are the only order that were spared in the Revolution; they were excepted in the decree of 1794.

1094. They are authorised by the laws of France?—Certainly they are.

1095. And there are orders that are not authorised by the laws of France?—As I understand the law of France it is this: the orders are distinguished into two classes, that is for legal purposes, the authorised and the unauthorised orders. The authorised ones are regulated by several decrees: the principal one which imposed terms upon persons applying for an authorisation dates in 1825, and from that time the applications for authorisation have been comparatively small; that arose from the terms of the decree, and from certain requirements which it was not convenient to many of these associations to comply with. There was nothing to be gained from the authorisation; it gave a *quasi* corporate existence, that was all; and I believe that the number of unauthorised are far in excess of the number of authorised convents in France. The authorisation simply means that they are registered, and have acquired a quasi-corporate existence.

1096. One condition of authorisation in France is, that the law of France shall not be held to sanction perpetual vows, is it not?—That is a matter that touches the internal organisation of a convent, and the authorisation does not regard that; it simply requires that a certified copy of the rules should be furnished, that they should have the consent of the ordinary, and that they submit themselves in all spiritual matters to his government without the intervention of any third party.

1097. The

1097. The law of France makes a distinction between the orders that it authorises and the orders that it does not authorise?—Practically it does not, for questions have arisen in the French courts as to the interests that unauthorised orders would enjoy when legacies have been made in their favour, and, as far as I can make out the distinction, is practically little or nothing. In the one case, that of the unauthorised community, the money is handed over to them, and they can deal with it in any way they like; and in the case of the authorised community, they have a corporate fund. In the unauthorised convents the property is held, not in the name of the community, but in the names of the individuals.

1098. In fact, the property of the unauthorised convents and monasteries in France is held in the same manner as the property of these institutions is held in England?—Substantially it is so.

1099. But you are aware that under the Act of 1860, the Roman Catholics Charities Act, there are provisions whereby the property in convents of women might be authorised?—No, I am not aware of that.

1100. Do you know the Roman Catholic Charities Act of 1860?—Yes.

1101. You are not aware that one of the provisions of that Act is to that effect?—No.

1102. You stated that in 1861 you enrolled a great number of deeds?—I did.

1103. And at very considerable expense?—Yes.

1104. Have you enrolled a great number of deeds since that period?—Whenever occasion arose, certainly, without hesitation.

1105. Was that enrolment made under the provisions of the Roman Catholic Charities Act of 1860?—Yes.

1106. Subsequent enrolments have been made under the provisions of that Statute, and the subsequent Statutes?—Yes; I am not aware of any practical alteration that has been made since the Act of 1860, except that which I mentioned which was made by, I think, the Act of the 24th of the Queen, c. 9, which provides for the enrolment of the trust deed, rather than the deed by which the legal estate is acquired.

1107. Are you aware of the provisions of the Statute 32 & 33 Vict. c. 100, entitled "An Act for amending the Charitable Trusts Act"?—Yes, I know the Act.

1108. Have you made any enrolments under the provisions of that Statute?—That Act is dated 1869; I do not think that I have had any deed to enrol since that.

1109. Then the enrolments that you have made were previous to the enactment of that Statute?—Yes, the greater number of enrolments that I spoke of, were made many years ago, as soon as I was ready after the passing of the Act of 1860.

1110. And have you continued to enrol since 1861?—Certainly, and I hope to continue to do so whenever occasion may arise. I have not the smallest objection to enrolment.

1111. You stated when you gave the number of convents, the number of their inhabitants, and the amount of their property, that it was a general statement without particulars?—Pardon me, I did not give any of those details. I purposely objected. I did not state the quantity of land, nor the amount of personal property, nor the number of the ladies. I gave you the apportionment that I had made showing what, supposing that they had a several interest, that interest would amount to in lands and hereditaments, and also supposing that they had a several interest, what that interest would be in the personal estate.

1112. You do not feel at liberty to give the particulars upon which the statement which you have furnished, was founded?—No, I ought not to do that; I think as things are it might be attended with difficulty.

1113. Mr. *Pease.*] You named the amount of 6 *l.* 13 *s.* 3 *d.* as the average income of each nun, in addition to her beneficial interest in 2 roods and 34 perches of real estate; does that constitute, on the average, the only certain income of each member of these 215 nunneries of which you have spoken?—The only fixed income, certainly.

1114. Is the rest of the income required for their maintenance, derived from the educational fees received from the upper and middle classes that you have mentioned?—As to most of the convents it is. As to the poorer convents, some are supported altogether upon alms.

1115. In your statement, do you include the conventual institutions for males?—No, I have not concerned myself with them; I was not asked to interfere on their behalf.

1116. They are not at all returned in your figures?—No, my return is confined entirely to the ladies.

1117. You state that in civil matters the inmates of these institutions owe no allegiance above that which they owe to the Crown of England to any other foreign power?—Clearly not in civil matters.

1118. But that in religious matters the dictates of conscience are paramount to any other consideration?—Yes, conscience before everything.

1119. Can you conceive any circumstances which would render it dangerous to the stability of the form of Constitutional Government which we have now in England, if the law should acknowledge these institutions?—Not in the least.

1120. Do you think that it would add to the loyalty of the Roman Catholic population?—I do not think that it would add to our loyalty, because loyalty with us is a matter of conscience; but it would encourage us.

1121. Mr. *Bourke.*] You have not paid much attention to monasteries, have you?—I am not to be examined, I believe, on that subject. There is a friend of mine who will give you similar information with regard to monasteries to that which I have given in regard to the ladies.

1122. I think you have told the Committee that most of this property that you have spoken about is vested in joint tenants?—Yes.

1123. Have you ever known property of that kind vested in joint tenants pay succession duty?—Yes.

1124. In ordinary cases does it pay succession duty?—It does not often arise; but I have known it. But the Government have a great advantage against us in dealing with this property as common stock, because the income tax so paid is very largely in excess of anything that would be otherwise payable. If you took the income as severalty and divided it, no income tax would be payable at all as would be seen from the statement which I gave this morning; but taking it in *globo*, a large amount of income tax is paid, so that the Government get in that way an infinitely larger amount than they could get from the succession duty.

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1125. With regard to the question asked you by the honourable Member for Dover as to the danger to which this property is subjected, does that danger arise in your mind from the existence of the legal doctrine with regard to superstitious uses?—No, because those uses are not connected with the property as I hold. It is held as the property of the individuals in whom it is vested, and to whom it is conveyed.

1126. So that that doctrine with regard to superstitious uses does not form any portion of the illegality at all that arises with regard to this property in your mind?—Not at all.

1127. I dare say you know that sometimes it has been said that the doctrine of implied trusts makes this property illegal?—Well, a question of the sort might arise.

1128. I think that was said by Mr. Bagshawe in the year 1857, before the Lords' Committee?—Yes, such a question might arise, certainly.

1129. Supposing it is the doctrine of the Catholic religion that when a priest gets the benefit of a donation, he is then bound to pray for the soul of the donor, would that in your opinion make the trust a superstitious trust, that is to say, for a superstitious use?—As the law has been explained by the judges, I suppose it would not, because they seem to hold that the condition must be expressed; that whatever is given is given upon terms to do a particular act. They declare that act to be illegal, and the imposing of that act upon the recipient would vitiate the gift. That was held by Lord Cottenham in the case of West and Shuttleworth, and the sum in question was handed over to the next of kin.

1130. You think that no implied duty on the part of a priest to say mass for the soul of the donor, unless expressed in the trust, would vitiate trust?—I do not think that question could occur or be raised.

1131. Mr. *Jessel.*] A gift to a priest to say mass is illegal at present?—Yes.

1132. Mr. *Talbot.*] I think, in answer to the honourable and learned gentleman, the Member for Dover, you said, that the grievance felt by you and your co-religionists, with regard to this monastic property is, that it is private property; you mean that you are not able to recognise it as the property of the monastery or convent, but only as private property; that you said is a grievance in your eyes?—In my eyes it is; I do not know that it would be commonly considered so.

1133. You consider it a grievance?—I do.

1134. You would not object to these institutions being recognised by the law?—I should not object at all.

1135. If that is what you desire, and these institutions were recognised by the law, I suppose you would not object to their being under proper inspection like other institutions?—That is a totally different question.

1136. You say now, that the grievance is, that the institutions are private, and you wish them to be made public?—There is no condition of public property that leads up to inspection such as is proposed in regard to convents.

1137. With regard to reformatories?—They are all open to inspection, but the ladies in a convent are a private family.

1138. I want to find out from you whether, supposing these institutions to be changed from private institutions, which you complain that they now are, to public institutions, you would object to abiding by the conditions under which public institutions exist?—When you say, I object to their being private institutions, I object not from any particular inconvenience resulting from that, because we have managed for a great number of years, and can continue to manage, whether we get assistance from the law or not; but on public grounds, I think that it would be infinitely better to give us facilities for holding property for these purposes expressly.

1139. As things are now, you are obliged to go to work in a roundabout way, and instead of establishing these convents you give the property to individuals as trustees, and you never recognise the convents as institutions?—We do not give it to trustees, they take it absolutely.

1140. These persons are really in the position of trustees; they hold the property as if they were trustees?—No; I do not admit that.

1141. In what capacity do they hold the property?—As owners.

1142. But it is very well known that they hold it for the benefit of the institution?—They are living together; and as long as they are so minded things will go on as they are.

1143. But you have stated already that you would prefer that the law should look the matter boldly in the face, and say, "These are institutions which we do not object to recognise"?—I should, undoubtedly. I am in favour of publicity.

1144. If you are anxious for publicity, do you object to the responsibilities which belong to publicity?—All proper responsibilities I am willing to undertake; nothing beyond.

1145. You said, in answer to a previous question, that you had never known any gifts to these conventual institutions?—I do not remember, at this time, any gift at all.

1146. Do you mean that all the property is purchased?—I have heard of sums contributed for building a church or schools, and other such objects. I have heard of assistance being given where it was proposed to add to a building. I have heard of persons sending small sums by way of contributions in aid of a common object; but as to anything by way of endowment, I never heard of anything like it.

1147. Is the Committee to understand that you have never heard of property in money or land being given to these institutions?—I know of one instance. I do not know whether the land was bought in that case, but I believe it was the property of the founder; but there, I understand, a deed was made and executed. But that is not at all a common case.

1148. There is a large convent near Alton Towers; that you know, of course, by name?—I do not think that there is any convent near Alton Towers. I think that there are some ladies who occupy a small house there, and have charge of a school.

1149. I do not want the technicalities title of it; but is there not an institution in the neighbourhood of Alton Towers?—There is a large boys' school there.

1150. I was going to ask you whether that convent, and many others, have not been practically founded by private benefaction?—All the older convents date from a very early period indeed; some preserved a small portion of the property which they possessed abroad, and others have economised the money that they have made in instruction and otherwise.

1151. Is the Committee to understand (for the question is on rather an important point), that no private benefactions, except in one case, that you are aware of, have been made by pious Roman

Roman Catholics to these institutions?—I cannot undertake to say that; I only spoke of my own personal knowledge.

1152. But I thought that you represented all the convents in Great Britain?—I do so; that is to say, I have ascertained what their property now is, both real and personal; and I have made a very careful examination of the whole subject, and have given the Committee the results; but as for saying that I have gone into the history of what moneys there may be, or how those moneys arose, that would be impossible.

1153. You stated that, as far as you knew, there was only one case in which these institutions had acquired property by gift?—Only one case that has come within my own personal knowledge.

1154. Who pays the rates on these properties?—They are paid out of the earnings of the house.

1155. Who pays them?—The person charged.

1156. Who is the person entered in the rate book?—I suppose the superior for the time being; they make the same arrangements as other persons in that respect.

1157. The superior would be the occupier in the eye of the law?—I suppose so.

1158. Mr. *Gregory.*] These monastic and conventual institutions are, I presume, all regulated by some written code?—As far as they are an organisation *inter se*, certainly it is the case; they have a rule for all that they do.

1159. Do those regulations affect the administration of their property in any way?—No.

1160. But they enforce poverty among the members, do they not?—Not necessarily; not all the orders; many of them possess their property, and continue to exercise their rights as owners over it.

1161. I am not talking of their property as individuals, but of their property as members of the community; would not the regulations affect their rights to that?—I am speaking of the property in gross; I do not distinguish.

1162. You say that the regulations would not affect their right to the common fund in any way?—I do not quite understand the question.

1163. There is a common fund vested in trustees; it is entrusted absolutely, as we know, without any declaration of trust; that by usage is applied to the common purposes of the institution, is it not?—In some of the houses it is, in others the property remains in the names of the individuals, and so long as they are members they pay in; or those who hold their powers of attorney pay in to the bankers of the association, or to an account in the name of somebody or other, their contributions towards the common fund.

1164. Those are external trusts, I may say, using the term trusts in a conventional sense?—They are not strictly trusts at all.

1165. But this property is external to the institution; the institution derives a certain benefit from this property in the hands of other parties?—They do as long as those parties are members of the association; but there is nothing to prevent their carrying it off if they choose.

1166. Or any member of the association might file a bill for a division of the property, I suppose?—I take it not.

1167. Why not?—I do not think that they would be entitled to it.

1168. I mean in respect to the property that is applied by usage to the common fund of the institution?—How are you to fix the usage, supposing it is an affair of a few years; what prescription would you apply?

1169. However, there is nothing in the rules of the institutions, as I understand you, which could be pleaded in bar of such a claim as that?—The rules of the institution regard the internal government, the occupation of the inmates, the hours of prayer, the duties to which they should apply themselves within the house or without. When you spoke just now of the rule, I applied it to the approved rule upon which these institutions proceed; that only relates to conscience, it does not go beyond; it does not touch any legal matter.

1170. It does not affect their rights to the common fund?—No, the rule would not, I presume.

1171. But, I presume, it would be binding upon their conscience not to seek to divide the common fund?—That is a matter for every individual to settle for himself.

1172. These trustees in whom this property is vested have the absolute dominion over it, both legally and equitably?—The persons in whom the property is vested (I would not call them trustees) have the absolute legal and equitable disposal of it; as far as the law is concerned, nobody can touch them.

1173. Mr. *O'Reilly.*] You have stated something of the French law; as far as you know, is there any penalty on members of unauthorised societies or communities in France, or on such communities themselves?—None at all.

1174. Is it not the case that there are simply special privileges, which are not considered very valuable, given by the law to what are classed as authorised associations?—Yes; as I understand it, the religious communities in France find no advantage in the authorisation, and therefore they have ceased to seek it.

1175. Is not the only advantage, so far as you know, a *quasi* incorporation, which, in the eyes of the French law, puts them, so to speak, in the position of what is called in French, "Minors of the State," with regard to whose property the State is a trustee?—Yes; and I should judge from one of the decrees on the subject, the decree of 1825, that the French Government found that they had quite enough to do with questions that might arise in regard to authorisation, and would rather relieve themselves from any more difficulties.

1176. Is it within your knowledge also that members of many communities in France much prefer to be unauthorised?—Clearly.

1177. You have been asked whether, as far as your knowledge went, gifts to convents of women were numerous or common, and you said that they were not; would you not apply that to large gifts either of land or property; and is it not the case in England, as I know it is in Ireland, that a large number of convents, especially those connected with schools, have been erected with the aid of public subscriptions?—It is not the case in England.

1178. I do not wish to ask you any question on the number of inmates in the convents with regard to which you have given evidence, as you do not wish to state it, but is it not the fact that several of these are houses consisting of only a very small number of inmates, perhaps from three to six, teaching a school?—Yes, and even less than that number.

1179. *Chairman.*] I think that you have distinguished between convents and communities, and that you have stated that the greater portion of those places that are regarded as convents in this country are nothing but independent communities?—That is all.

1180. When you stated that you represented

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215 convents, did you mean convents proper or merely these independent communities?—All these institutions, under whatever classification they might come.

1181. These communities are not obnoxious to the law, are they?—It is very difficult to say.

1182. You say, as I understand you, that there are no vows in them, and the persons are not bound?—I did not say that there are no vows; there are vows, but there is no inclosure.

1183. What do you mean by "inclosure"?—There are some that do not conduct external work, but all their teaching is conducted within. There are others who have no teaching within the house proper but attend schools without, and there give instruction.

1184. Is your distinction so complete as to indicate any difference in the effect of the law with regard to receiving or acquiring property?—No; that is one of the things which I thought I had explained; as far as the law is concerned there is practically no difference; there is no objection to a convent more than there is to any one of these teaching establishments.

1185. As a convent proper is an illegal institution, in your opinion, does that apply to the independent communities?—I hardly know where to draw the line, one trenches so nearly upon the other, and the distinctions are so minute that it would be very hard to do so. I attempted to make a classification, but I found that it would be subject to so many difficulties that I gave up the attempt.

1186. Then the distinction between a community and a convent is a distinction without a difference?—As far as the law is concerned I take it practically to be so.

1187. Mr. *Matthews.*] Just let me put a few questions, in consequence of what I thought was a misunderstanding on your part of the question which the honourable Member for Dover was asking you; you do not doubt that the penal clauses in the Emancipation Act, make life in a monastery, by a man bound by vows in England, illegal?—I do not; his very presence here is illegal.

1188. Do you doubt the decision in Sims and Quinlan, that a gift, conveyance, or bequest in trust, for the maintenance of such a person is a void trust?—No, I believe that is perfectly good law.

1189. Is it not in order to evade that illegality which results from the Emancipation Act that you have recourse to these joint tenants as absolute owners without any trust?—For that, and other reasons; a trust of that kind would be void at once.

1190. You cannot create that trust, because it is void, and, therefore, you are obliged to have no trust at all?—As far as the support of the monastery is concerned, we can have no trust.

1191. Does not that expose the members of such an institution to the risk of being deprived of the enjoyment of that property?—Clearly; the joint tenants might extrude every man in the house, if they pleased.

1192. Is not it an inconvenience, that persons bound by religious vows should be dependent on the goodwill and pleasure of certain others?—Yes, I only meant in what I said just now that, within my knowledge, such a thing has never happened.

1193. You mean that hitherto the persons in whom the property has been vested, have been good enough to allow other members of the community to enjoy it?—As far as the communities go, I have not known any instances to the contrary; as far as charities go, I have.

1194. That is to say, you have known cases where the things being illegal, the persons in whom the legal estate was vested, have appropriated the property to themselves?—Yes.

1195. Should you not consider it a great change for the better if you were allowed to create a legal trust in favour of the inmates of a given community, and enrol that trust or, at any rate, have legal remedies to enforce it?—If it stopped there I should, undoubtedly; but if it were to be conditioned, and one of the conditions were to be inspection, I would not take it at any price.

1196. Of course inspection of the life of the inmates would not be bearable; but you would have no objection, would you, to either the Court of Chancery, or the Charity Commissioners, or some public authority, compelling the due performance of trusts, in favour of communities of this sort?—Certainly not; like any other institution.

1197. You are at present deprived of the protection of the law, because you are obliged to have no trust at all, but to trust to the honour of the persons who are joint tenants?—Yes.

1198. *Chairman.*] Is it not a fact that it has been the subject of complaint by Catholics, that they have known the administration of the trust not to be in conformity with the intention of the ancestors or donors, and yet they had no remedy?—That was so in the case of our charities.

1199. These deeds are enrolled for charitable purposes; the person who has the legal estate is very often a person who knows nothing about the trust, and there have been cases, I believe, where those who considered that they had a right to interfere, could not get any redress?—I hardly know to what class of cases you are referring; if you refer to charities, I know that it was so before 1860. Before we had all the protection which the law has now given us in regard to charities, it did happen.

1200. The heir or next of kin might interfere, and complain that the trusts are not administered in conformity with the intention of the donor?—Unfortunately it has happened in cases before it reached the heir.

1201. These charities are not noticed by our law?—They are not; we do not admit them to be charities at all, they are families.

1202. Mr. *Matthews.*] The Chairman is asking you of charities, and you are speaking of convents, are you not?—But the Chairman spoke of convents as charities, and I could not admit that they were.

1203. Mr. *Newdegate.*] You have spoken of the large number of enrolments that you have made since 1861; was there not conventual property among those enrolments?—No, not in one, according to my recollection.

1204. Then you hold that a convent is not a charity?—I have always so considered.

1205. In the sense of the Church of Rome it is a charity, but not in the sense of the law of England, as you have made use of the term?—I say nothing about the Church of Rome, because that is a theological question that does not touch the case here; but I speak of it as far as the law goes, and I know no other law here but the law of the land.

1206. I thought you said that these institutions were regulated according to the rules of the Church of Rome?—That was with regard to a state of things antecedent to the dissolution of monasteries.

1207. Are they not now regulated according to

o the rules of the Church of Rome?—Those ules have been very much modified.

1208. But according to the present rules of he Church of Rome?—Only as regards their nternal organisation, as between themselves, in natters of conscience, not in matter of property.

1209. I do not understand you to say that hese convents which teach, and which provide urses, are not charities in the sense of the Church of Rome?—But I think the inquiry is ot as to what the Church of Rome holds; but s to what the English law holds.

1210. The rules by which these institutions re regulated are those approved by the Church f Rome?—They are only rules for their internal overnment; they are all printed, and might be een by anyone; there is no mystery about them t all; I believe that there is not a rule in any art of the earth which has not been printed or ublished in some form.

1211. Does not the Church of Rome hold that onventual establishments in Italy are charitable nstitutions?—There are none such, except in he Roman States, or what remains of the Roman States.

1212. In the Roman States, is it not so held? —I really am not competent to speak of that. They have a civil law there, as well as the law f the Church. What their status is under the ivil law, as it is administered now there, I eally cannot tell you.

1213. Am I to understand that the convents in Great Britain are regulated according to rules different from those of convents of the like order n the Roman States?—I think we are speaking f rules, you in one sense, and I in another. The rules that I speak of are merely rules made or the government and religious training of the nembers of the community, and they do not ouch their property in any way whatever, and ve are only now treating of property; we are ot treating of the religious life apart from roperty.

1214. But I wish to identify the institutions, nd I ask you whether the rules that are appli- able to the various orders which exist both in he Pontifical States and in England, are not he same? — What they are in the Pontifical States I cannot say of my own knowledge; but I should say most certainly not. The original ule of the convent, as I tell you, regards the nternal government, the direction and training f its members, leading them up to that perfection which they seek to reach by associating them- elves in this manner; it does not touch their roperty, for in the Roman States, while some of he convents, I believe, were originally richly endowed, others have no property whatever, but ive entirely upon alms, as anyone might see by walking down the streets there.

1215. But you are a Roman Catholic; does not your Church hold that institutions like colleges, in which persons, the members thereof, are trained for Christian perfection if they re- ceive any gifts, are in the nature of charities?— No, I do not think that it holds anything of the sort.

1216. Mr. *Matthews.*] I believe that the effect of authorising a convent under the Orders in Council which enable that course to be taken in France is this, that the rule of that convent is publicly enrolled or registered, and that the convent is authorised to hold property as a com- munity, and with perpetual succession?—It is so. The rule must be certified and approved by the ordinary, and then registered.

1217. Registered, I think, in the Council of State?—Yes.

1218. And then the community is able to hold property with perpetual succession?—Yes; but there was another object in that. It was to secure, or to attempt to secure, a competent maintenance for these establishments, so that they should, not become a burden to the State under adverse circumstances. The Government will not authorise them unless there is a certain amount of property.

1219. Will you listen to the evidence given by Mr. Bagshawe, senior, before the House of Lords in 1857, and tell me whether you agree with it; he is asked this question: "Inasmuch as it is part of the duty of a priest in saying mass to pray for the dead, then if giving money to pray for the dead be giving money for a super- stitious use, giving money for the maintenance of a priest, who must as part of his duty say prayers for the dead, is giving money for a superstitious use?" and Mr. Bagshawe answers, "Just so; I think I may go the length of saying that no priest could receive the benefit of a fund, knowing who the donor was, without holding himself bound, *ex necessitate conscientiæ*, to say a mass for the donor. I may also add, that it is not merely as to priests, but all night prayers and morning prayers in a family, every private individual's prayers, if they were to follow any prayer book which has ever been published, would involve the same obligation of praying for the dead in those prayers. Even in some instances I have known, particularly in collegiate establishments, that it is added on to the grace at dinner; it per- vades the whole system of the Catholic Church to pray for the dead whenever you have an occa- sion to pray at all;" do you agree with that?— Entirely.

1220. I am not sure that you were quite un- derstood on that point; do you not think that the implied duty of praying for the soul of a donor, if it were acknowledged by the priest who received the gift, and acted upon by him, might be treated by the Court of Chancery as an illegal trust annexed to the gift?—I think the Court of Chancery would distinguish the source from which the obligation arose, whether from the act of the donor (and they would only make it void in that case), or from circumstances which were foreign to the gift.

1221. Assuming any communication between the donor and the priest, by which it appeared that the donor, in making the gift, intended to have the advantage of the prayers which the priest's duty obliges him to offer up, that would invalidate the gift?—It would be void then.

1222. Mr. *Gregory.*] If it implied a trust?— Yes, or if there was any previous communication to involve a condition.

1223. Mr. *Cogan.*] You stated, in answer to an honourable Member, that you were anxious that these institutions should be recognised by the State; was I right in understanding you to say, that you merely wished that any exceptional legislation should be removed as against them, and that you did not claim for them any special exemptions, rights, or privileges?—No; I ask none whatever; simply that we may be relieved from disability.

1224. That you may be placed on an equality with any other association, such as a club?— Yes.

1225. And such recognition as that, in your opinion, would give no right to State inspection? —None whatever.

Mr. ALFRED KINGSTON, called in; and Examined.

Mr. *A. Kingston.*

31 May 1870.

1226. *Chairman.*] WHAT is your office?—Senior Clerk in the Public Record Office.

1227. Have you brought any documents with you?—I have brought a portion of a Return which I prepared for Mr. Hadfield, in obedience to an Order of the House.

1228. What is the nature of the Return?—The Return was to show all the enrolments made in the Court of Chancery under the Act of 9 Geo. 2, the Mortmain Act.

1229. Do you mean that you have got a copy of all the enrolments made during that time?—We have prepared a Return of all deeds in which we could find any specification of a trust.

1230. Of a Roman Catholic trust, do you mean?—Of any kind of trust, because the deeds did not quote the Act in question; and the only way in which we thought we could arrive at it at all was, by taking out all deeds in which there was any specification of a trust, and allowing it to be declared afterwards.

1231. This information was prepared for a Return called for by the House for another purpose?—Yes, for another purpose altogether.

1232. And you have attended here to submit that document to this Committee?—I have attended here to show this Return, to see if it might prove serviceable to this Committee; that is to say, I have brought a portion of that Return, to see whether it would afford the information which this Committee required, because it contains, amongst other things, a certain number of deeds, the trust clause of which applies to Roman Catholics. I should also say that, in order to try and help the inquiry, I have sought to make a list of all the enrolments since 1867, 1868, and 1869, in which there was any Catholic trust.

1233. Mr. *Newdegate.*] Are you in a position to furnish the Committee with the heading of the first Return and a description of your second search made in 1867-68?—I have the Order of the House of Commons as to the Return to be made for Mr. Hadfield; that was the first Return which I mentioned.

1234. Will you be kind enough to read the heading of that Return?—"Return of the Number of Enrolments in the High Court of Chancery, which have been effected in each year and altogether in pursuance of the Act of the 9th year of the reign of King George the Second, chapter 36, up to and inclusive of the year 1865, and stating the references to and particulars of all enactments now in force for effecting exemptions from the necessity of enrolling in the same Court in pursuance of the said Act."

1235. That being the requirement of the House of Commons, how far have you been able to complete that Return?—It is just upon completion; the year 1865 alone remains to be completed.

1236. When do you anticipate that that return will be completed?—It will be presented, I suppose, some time in the course of the next fortnight.

1237. Then you have referred to a subsequent search that you have made, with a view partly to the inquiries of this Committee?—Yes.

1238. Will you give a description of the conditions under which you have made that search?—I took the indexes from the Enrolment Office, and looked in the column of the names of the grantors for such names as I thought were Roman Catholic names. I also looked in the column which declared the nature of the deed, the declaration of trust, namely, and I looked at all of these which I could find with those two conditions, namely, Roman Catholic names, and declaration of trust; and I have prepared a list which I have brought with me.

1239. Can you put that list in?—Yes. (*Vide* Appendix.)

1240. *Chairman.*] Is it a Return to be made to the House?—I made it subsequently to seeing a note written by Mr. Newdegate to the Master of the Rolls, desiring that somebody from the Public Record Office should attend to give information of any kind which he could about the subjects of this inquiry.

1241. Mr. *Newdegate.*] Do you mean a note from me, asking the Master of the Rolls whether any officer of the Rolls Court would be prepared to give evidence before this Committee?—Yes; I was informed of the effect of the note.

1242. Do you put in these documents as having been made in consequence of a search in the Rolls Court?—Yes; but I should also state, that the Rolls themselves have not been examined. This is simply taken from what one could see in the index. Therefore, perhaps, it might not be all touching the enrolment of any particular set of deeds, but it is all that we have been able in a short time to collect from the indexes.

1243. Mr. *Cogan.*] You stated that you selected deeds in which names which you understood were Catholics' names appeared; may I ask you whether there are any names that exclusively belong to Roman Catholics?—Simply certain titles that belong to Roman Catholics, such as in this document, "The Right Reverend Thomas Grant, of St. George's, Southwark, Roman Catholic Bishop."

1244. That clearly indicates the religion?—Yes.

1245. But you stated that you took the names for your guide; are there any names that are exclusively Catholic?—No; and that makes me say I am not certain that this list would contain all, because it is only certain names that I have been able to identify by the description.

1246. Mr. *Matthews.*] I understand that not only have you required a designation which was plainly Roman Catholic in the trustees, but that you have only selected those cases in which there was declaration of a Roman Catholic trust also?—Not a declaration of a Catholic trust, because in the indexes made in the Enrolment Office there are simply the words "declaration of trust"; you cannot tell whether it is Roman Catholic or not.

1247. In those cases where you found a trustee named by some title which clearly indicated a Roman Catholic functionary, and where you found that there were Roman Catholic trusts declared, you searched the Rolls?—In those cases, I have made an abstract from the Rolls.

1248. But in the 395 cases spoken of by Mr. Erle, in which there was nothing to indicate any Roman Catholic quality about the trustees, and where there was no declaration of trust, you have not searched the Rolls?—No.

Friday, 17th June 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. Cogan.
Mr. George Gregory.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Mr. O'Reilly.
Sir John Ogilvy.
Mr. Pease.
Mr. Pemberton.
Mr. Sherlock.
Mr. John Gilbert Talbot.
Mr. Villiers.

THE RIGHT HON. CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. JAMES CUDDON, called in; and Examined.

Mr. *J. Cuddon.*

17 June 1870.

1249. Mr. *Matthews.*] YOU are, I believe, a conveyancer, now at the Bar?—Yes.

1250. And you practised for 25 years or more as a conveyancer below the bar?—I did.

1251. Have you frequently advised men in religious orders as to their pecuniary affairs?—Frequently.

1252. So as to become well acquainted with the manner in which their pecuniary arrangements are generally made?—Certainly.

1253. I believe that for the purpose of this inquiry, you represent all the religious orders of men in this country?—Yes; I do for the purpose of this inquiry. It was considered that it would be better that the solicitors of the various religious orders should instruct one person as to their affairs in any respect in which he might consider it proper to make inquiries, so that one person could give all the information to the Committee that might be required, and I was the individual who was selected.

1254. Then, in that manner, by communication with the solicitors representing different religious communities of men, have you acquired practical acquaintance with the state of their affairs and property?—Yes; and by some communication also with several of the superiors, where I thought it necessary to have it.

1255. Are you in that way enabled to inform the Committee on what terms property enjoyed by them is "held, possessed, and received" in terms of our reference?—Yes; and I shall be prepared to give the Committee every information which I can give them without a breach of confidence on my part.

1256. As a general rule, in what way is property that is enjoyed by religious communities of men in this country held?—The property is derived from individuals of the order who voluntarily, and during their own pleasure only, permit the income to be thrown into a common fund for their own purposes. Hence there is no trust or charity of any kind.

1257. It is at the pleasure of the different members of the community, that the income of the property is enjoyed for common purposes?—Certainly.

1258. And do I rightly understand you to say that no trust is declared?—No trust of any description.

1259. Who are the legal owners of property that is so enjoyed by these religious orders; is it held by one person, or by several?—Securities for money, or real estate, are held as the private property of two or three individuals, who are joint tenants, on whom no condition or trust whatever is imposed. They could mortgage, sell, or spend it, just like any other owners, if so inclined; and all the members of the order are perfectly aware that those amongst them who have property hold it as absolute owners. It is a perfectly understood thing. They are fully aware of it; there is no mistake about it at all.

1260. With regard to religious men, is there any rule or usage requiring them to bring anything with them when they join the order?—No. In deciding upon whether an applicant for admission into an order can be admitted or not, his virtue, his talent, and his zeal, are considered quite apart from the question of money. A good subject would be admitted just as readily without money as with. It scarcely ever happens that anyone has much; members are sometimes younger sons of the nobility or landed gentry. In such cases, generally, far less is given to them than is given to their brothers in the world; and the same remark will apply to members out of the higher middle classes in life. In a pecuniary point of view, thus in fact families are generally benefited by their brothers becoming religious men. This is perfectly well understood in Catholic families, and it is altogether a popular delusion to suppose that religious orders are enriched at the expense of families; nothing of the kind takes place.

1261. Suppose the case of a man becoming professed, in a religious order, who is then possessed of property of his own, in what way does he deal with that?—Before profession, he disposes of it in whatever manner he pleases, and this is frequently done in favour of his relatives if they are in any need. I should wish to refer you to a little anecdote in the life of the celebrated Père Ravignon, where you will find that, previously

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previously to his profession, he went to a notaire, and ordered a deed of conveyance to be made out to his brother of the entire amount of his property; and after paying the notaire's fee, he had a louis d'or in his pocket, and as he left the chamber of the notaire, he found a poor man to whom he gave the louis d'or, and he said, "Now, I can enter my community without a sous," which he thought a great thing to do.

1262. Profession involves the necessity of a vow of poverty, does it not?—Yes, certainly; that is to say, the person does not use the property for himself.

1263. A vow of poverty is always taken on profession?—Yes.

1264. The retention of any property by a man himself would be inconsistent with that vow, would it not?—Yes.

1265. As a matter of practice, is it not, therefore, required of a man before he becomes professed, that he should denude himself of what property he possessed?—Yes; it is the invariable rule that he gives up all property before profession. He may do so to his relatives or for charitable purposes, or for whatever purposes he thinks proper.

1266. But whatever property he possesses he must denude himself of it all before he is admitted to profession?—Certainly.

1267. Does that rule in religious orders apply as well to reversions that happen to be vested in the individual, as to property actually in possession?—In case an eldest son enters the religious life, it is the universal practice to renounce, before profession, his inheritance, reserving only to himself a small annuity; no profession can take place without that, and if anything falls to a religious man after profession, by inheritance, then he is obliged by the rule to allow it to pass over his head to the next heir; and to effect this he executes a legal deed, which is always done. So that, in point of fact, supposing (we will say for the sake of argument) that the next brother of any peer was now a religious man, and his brother died without a child, so that he became next heir, he would immediately make a deed of gift to his next brother, passing himself over altogether. Of course he could not divest himself of his necessary dignity, but every shilling, with the exception of a trifling annuity, perhaps 100 *l.* a year, or something of that kind, would be given over to the next brother.

1268. Just let me try and make it more intelligible to the Committee why that is. In the old state of things, before the Reformation, profession by a religious man involved by law civil death, did it not?—Yes, certainly.

1269. And the consequence of that civil death was precisely what you have described, that inheritance passed over the heads of religious men?—Certainly; and practically the same thing results now.

1270. Practically the religious orders impose upon their members the obligation of doing that by deed which formerly the spirit of the order, aided by the law of the country, effected of itself?—Certainly.

1271. Is that the invariable rule?—That is the invariable rule of religious life amongst men.

1272. On the other hand, if property were left by will to a religious man after profession, that being a *designatio personæ* would be considered entitled to retain it?—That is quite a different question. No doubt if anything falls to a religious man after profession by legacy, then it goes to the legatee, who, however, does not use it for his own personal comfort, but he employs it for the good of others in some way or other. I am not speaking of a vested legacy in reversion, which would be disposed of on profession by a deed of gift, but I am speaking of a legacy under the will of a testator, who, having had full knowledge that his legatee had become professed, might have altered his will, and did not alter it.

1273. That sort of legacy is a case that rarely arises?—Very rarely. As a general rule, it is considered that persons who have become professed have no further occasion for money, and very few people unfortunately leave these gentlemen anything after profession.

1274. You said that the property of which these religious communities enjoyed the benefit, is legally vested both at law and in equity in joint tenants?—Yes.

1275. How is it transmitted from one set of joint tenants to others?—If a person possessed of property desires to part with his power over it, he does so by a deed of gift which is prepared and perfected in a legal manner, and on which, of course, the regular and proper stamp duty is paid; and in the event of such a person dying without having executed any deed of gift, leaving a joint tenant surviving, it goes to him, and in that case the succession duty is paid by the surviving joint tenant or joint tenants; but if a person dies solely possessed, then the property is transmitted according to law, without any regard to the fact of his having been a religious man, and the ordinary duties are paid as in any other case, by the people who take the property, and the revenue does not suffer the loss of a single penny.

1276. The result of it all is, therefore, that the property which is enjoyed by these communities is held absolutely by certain persons as owners both at law and in equity?—It is impossible that it could be held on trust, because there are clauses of the Catholic Emancipation Act which are so clear that it would be absurd to attempt to create a trust in favour of a religious order of men, and no lawyer would attempt it.

1277. If those trustees thought fit, they might eject every other member of the order; there is nothing but honour to restrain them?—Nothing else but honour, that is the universal rule.

1278. Are the joint tenants selected to hold property of which, in fact, the religious orders have the enjoyment, generally members of the orders or not?—As a general rule they are members of the orders, but I individually know of some cases in which they are not members of the orders.

1279. *Chairman.*] But they would have some relation to the inmates of the monastery, would they not?—No, not necessarily relations, but persons in whose honour every reliance can be placed. Fortunately there are lots of men in the world of that kind.

1280. Mr. *Matthews.*] I do not propose to go into the matter of enrolment, about which we have had a great deal of evidence already, but do you concur with what other witnesses have told us, that there is nothing in fact to enrol in the case of property belonging to religious communities?—I think that you will find, if you look at our Directory for the year 1860, that at that time there were only about 700 churches or chapels

chapels in all in England; out of that number many were of modern creation: catholicity had then begun to revive, and to none of those modern missions would any charity funds attach. As to the old chapels very few had charities attached; and I can only say, speaking for myself (and I have had a considerable amount of experience in that way), that it is surprising to me that, considering the 300 years of disaster to the Catholic Church in England, there were so many as 400 cases to register shortly after the passing of that Act of 1860.

1281. In your judgment, so far as you know of these matters, the deeds which Mr. Erle spoke of as registered soon after the Act of 1860 would represent pretty well all the Catholic charities in existence?—I believe all; if any were omitted it was by pure accident. Of course, any funds held by persons, members of conventual or monastic institutions, are not charities, and therefore there was nothing to register as far as they are concerned, inasmuch as they are not charities at all.

1282. Property enjoyed by the religious communities is not registered because there is no trust attached to it?—No trust whatever of any description.

1283. I believe you have prepared a statement as to the property that is enjoyed by these monastic bodies, in order to enable the Committee fully to understand the way in which it is possessed and held?—As I wish to give a perfectly correct and truthful, straightforward statement to the Committee (if I could not do that I would give none at all), I have taken a great deal of pains to collect the information, and, with the permission of the Chairman, I will read a very short and concise statement of the state of affairs as it now exists with reference to all the property of religious men in this country. Firstly, there are 10 colleges, conducted, by permission of the legal owners, by ecclesiastics who are supposed to belong to religious orders; of course, in the face of the tendencies of the Catholic Emancipation Act, I must talk of them as persons "supposed to belong to religious orders."

1284. *Chairman.*] These are colleges for education?—Yes, but conducted by religious men. There are about 2,032 acres of land in all, held with these 10 colleges by permission of the legal owners. This land is required and used for the purpose of supplying the persons inhabiting these colleges with various articles of produce; for the colleges being generally at some distance from towns, farming in some cases becomes almost a necessity. At these 10 colleges there are now about 1,192 students of the higher class and higher middle class, who receive a first-rate classical education under the care of preceptors of the highest attainments, who are supposed to belong to religious orders. These preceptors enjoy no emolument whatever for their services, which services are rendered solely from motives of religion under the impression that it is a great and good work to devote themselves to the education of these classes of young gentlemen. The advantage of this system to the Catholic laity is very great, because by reason of the preceptors undertaking the work as religious men, the pensions are small, only 40 *l.*, 50 *l.*, or 60 *l.* a year generally, and even in the schools of philosophy, with private apartments, only about 100 *l.* a year. The appliances are first-rate, the mode of living excellent, with every attention to the health and comfort of the pupils; and these colleges thus present advantages to the Catholic laity in point of education equal to any that are attainable in Protestant colleges in this country at a much higher cost. Country situations for colleges are chosen not from any desire to possess land, but on account of health, and the great difficulty and expense of obtaining space in towns. There are also 430 acres held by colleges, but at present let, and which have been acquired partly in view of the probable increase of establishment, and consequent necessity for more land for building purposes, and partly perhaps to a small extent under the apprehension of annoyance, if these acres should be in the hands of strangers. These colleges and lands are held by individuals as absolute owners, without any trust imposed on them, and they permit the occupation of this property for the purposes before mentioned, during their will and pleasure. There are in the whole country 151 houses and parochial residences, three-fourths of which are occupied by only one or two persons supposed to be religious, and these gentlemen have under their spiritual care in the whole 278,850 souls, and 92,260 poor children in various poor schools.

1285. What do you mean by "houses"?—That is to say, distinguishing houses from parochial residences in this way, that there may be a house for religious men to which no cure of souls is attached. There are only about 30 houses of that description; the whole of the others are, in fact, missionary houses.

1286. Mr. *Matthews.*] That leaves, therefore, 121 as parochial residences?—Certainly.

1287. Are those residences to which the cure of souls of some particular district or parish is attached?—Certainly.

1288. So that to that extent the Roman Catholic laity of England are dependent on religious men for parochial and spiritual ministration?—Entirely.

1289. In fact, could the parochial work of the country be carried on without them?—It would be utterly impossible without having a great importation of foreign priests.

1290. The number of secular priests in the country is wholly insufficient to meet the wants of the Roman Catholic population?—Quite; that is the reason why there are so many religious men in the missions.

1291. Now will you proceed with your statement?—These houses and parochial residences, with any churches or chapels attached thereto, are held by individuals as their own absolute property in the same way as the colleges and lands attached thereto?—The only other real estate enjoyed by persons who may be supposed to be religious men throughout the entire country is about 1,600 acres, hardly so much, I think, with some houses situate in divers localities, also held by individuals as their own absolute property in the same way as the colleges and lands attached thereto. And, lastly, there are about 500 boys in reformatories under the spiritual care of religious men, and may I add that many thousands of poor people (without any reference to their religious belief, I am quite sure) are annually fed and relieved in various ways at some of these houses.

1292. Now, with respect to personal property; is there any accumulation of personal property in the hands of religious men?—The income from personal estate of every description enjoyed by all the religious orders united is very small

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compared to the important and numerous objects to which it has to be devoted; such objects very shortly being, firstly, the maintenance of many sick and old religious men who are now unable to attend to any ecclesiastical duty; secondly, principally, the education of numerous church students for about 120 parishes in England; also for Demerara, Jamaica, Honduras, Bombay, Bengal, Madras, and the colonies under the English Crown, whose services are admitted frequently by the Government to be of very great value, and for which there is nothing else to depend upon, and also in preparing teachers for colleges.

1293. You mean that the cost of education of all those foreign missionaries is defrayed out of property in the hands of these religious men?—Out of any personal income that there may be belonging to these religious men; they allowed it to be defrayed out of it. Then, again, there are divers persons too old to work, or disabled servants, who are always taken great care of and maintained. Then, again, great assistance is rendered towards the repairs of the different parochial residences, churches, chapels, and schools served by these religious men. Very often such assistance is absolutely necessary, for sometimes the congregation is exceedingly poor, and is unable to do anything of consequence towards such repairs. Then, again, there are divers expenses attending the repairs of the colleges, which are sometimes very large buildings, and taxes of various kinds. In fact, the total annual income that is available for all these various purposes would, unless the greatest economy were everywhere exercised, be wholly insufficient; and the result is practically that all the members of every order (save only those who are disabled, either from age, infirmity, or ill-health, and saving a very few whose destiny is not missionary work,) do missionary work, and attend to all the duties of parochial clergymen, and are dependent for their support upon the contributions generally given by congregations to parochial clergy, and have no other income whatever. These contributions are insufficient in many cases, and the result is that no money whatever is accumulated, and if, in any case, by any chance, there should be any surplus by reason of any little legacy, or anything of that kind, it is immediately expended in some good work, such as an addition to a church, building a poor school, or something of that kind, or some object which is considered advantageous for the scholars at the colleges; for instance, they would think nothing of spending 1,000 *l.* for a telescope if it were wanted for an observatory at one of the colleges; but not a penny would be spent by these gentlemen on themselves for their own personal benefit.

1294. Do they all give their property in that way, upon the understanding that it shall not be devoted to their own personal advantage?—The vow of poverty does not mean sordid poverty, that they shall beg in the streets; but that they shall live in the most economical way possible consistently with their character of gentlemen, for they are all gentlemen; men of the highest education, and many of them persons belonging to the best families of the land.

1295. In fact, they devote their income, whatever it is, to purposes other than their own advantage?—To the good of other people.

1296. You have described a considerable sphere of usefulness, so far as the Roman Catholic laity are concerned; in your judgment, are the penal clauses attaching to the life of religious men in England considered a grievance by the Roman Catholic laity as well as by themselves?—Well, I would only ask the Committee to refer to several sections of the Catholic Emancipation Act, say sections 28, 29, 30, 31, 33, 34, 35, and 36; and I would ask the Chairman and honourable Members of the Committee, whether those sections do not amount, in fact, to this; that gentlemen taking a religious vow are, in reality, treated, as to some, like ticket-of-leave men, and as to others, as common criminals. Now that is the effect, I submit, of those sections of the Act of Parliament; and (speaking for myself, and not pretending to represent the Catholic laity, of course), I would say that I cannot imagine that any Catholic can consider those sections as otherwise than most offensive, in fact insulting, towards himself as well as towards his friends. These religious men are, many of them, members of the first families of the country, as I have said before, and it is a state of things that must be looked upon as a most terrible grievance.

1297. Is there a practical grievance also in the inability to create any trusts for even the commonest purposes of maintenance?—Certainly there is; because supposing these gentlemen who hold this property as absolute owners were disposed to divest themselves of that ownership, and to give it for the permanent establishment of colleges, or charities conducted by religious men, or for the support of religious men, they cannot do it by law; these clauses alone make it quite illegal.

1298. The colleges you have spoken of, I suppose, prevent what was so much complained of formerly — namely, the education of English Catholics abroad?—Yes, if it were not for those colleges hundreds of young men would be educated abroad, which we, the laity, should consider very undesirable. We like our own country, and much prefer that they should be educated here.

1299. Do you think it desirable that the law should alter that state of things, so that there might be a declaration of trust?—I think it right that there should be a permission to declare trusts, so that those persons who consider it desirable might avail themselves of that permission.

1300. Do you think it an undesirable state of things that such an institution as a college should be absolutely dependent on the goodwill or honour of some individual?—Theoretically it would be so, but speaking personally I myself should have no kind of doubt of the honour of any of these gentlemen.

1301. It is a precarious tenure?—It might be considered with some persons to be better that it should be held legally.

1302. The law prevents any trust in favour of religious men?—Yes.

1303. And therefore a trust in favour of a college to be conducted by religious men, a college, for instance, held by Jesuits or Benedictines, would be an illegal trust?—It might be so considered, and no one would run the risk of it.

1304. If the existence of the college were bound up with the existence of the religious order, it would strike at that just as much as at the order?—Yes.

1305. I am not going in detail into the matter of superstitious uses; but do you concur with what other witnesses have said, that that head of the law also acts harshly with reference to these religious communities of men?—If there is one point

point more than another, upon which Catholics feel most strongly, it is with reference to their dead; that they are prevented from having prayers in perpetuity for the dead; it is one of the practices of the Catholic faith to which the utmost importance is attached.

1306. If the Catholics look in that way upon the present state of the law, I may, without impropriety, ask you as a lawyer, what, in your judgment, would remove anything that may reasonably be complained of in the present state of the law?—First of all, I think, that all those sections of the Catholic Emancipation Act, which I have referred to, should be at once expunged; and that all the laws regarding these superstitious uses, as they are called, should be expunged, and then I think also, that exemptions to the Mortmain Act should be extended, so as to allow persons of all religions, whether Catholics or Dissenters, to devise property to their colleges and institutions in the same manner as it may be devised to Protestant institutions now.

1307. The Oxford and Cambridge colleges are exempted from the operation of the Mortmain Act?—Yes.

1308. And in your judgment dissenting places of education should enjoy the same privileges of exemption?—Catholic and Dissenting. We look upon our Stonyhurst, Oscott, and Ushaw, just in the same light as Protestants do upon their Cambridge, Oxford, and Eton, and we regard our colleges just as they do those. Supposing that the Mortmain Act said you may leave property to Oxford and not to Cambridge, what would Cambridge men do? They would start up and say, "What! not leave it to Cambridge? We ought to have the same privileges as Oxford;" and we Catholics say the same thing for ourselves.

1309. Do you think that those changes in the law would remove every reasonable ground of complaint, without asking for any special privilege for Catholics?—We do not want any privilege any more than other people.

1310. Simply that penal and exceptional legislation should be done away with?—Yes. This is a country in which there is an immense variety of religious opinions; I know of no country in the world in which there is so great a variety of religious opinions in the community, and it appears to me that there should be no distinction in the law in these respects, but that what a Protestant is able to do with his property, a Catholic should be able to do with his, or a Baptist or a Wesleyan, or anybody else with his.

1311. Mr. *Jessel.*] Have you any objection to give us some idea of the number of religious men in England?—That did not appear to us to be within the scope of the inquiry at all; and I should not feel justified in entering into that question, as to the number of religious men. I thought the inquiry was with reference to their property.

1312. I ask the question with a view to get an answer, which we have got from Mr. Harting, as regards the women; that is, with respect to the amount of property held per head; I want a similar answer, if you can give me one, with respect to the men?—I wish to do everything that I can, consistently with what I consider to be my duty to my friends, these religious men, whom I am proud to call my friends, to meet the views of the right honourable Chairman. With regard to the number, I really cannot speak as to that. I cannot now cast up, and all that sort of thing; and not only that, but looking at the way in which the law now stands, those sections of the Act of Parliament, and the penalties (which the honourable Member very properly seems to treat with not any very great dread; still there is the law), I take it that it would meet, to a great extent, if not entirely, the views of the Chairman, if I were to tell you the total annual income which is possessed for all the purposes which I have described by the religious orders I have spoken of; and if that would equally suit your purpose, I shall be happy to state it. The total annual income derivable from personal estate of every description held by all the members of the different orders, for all the purposes which I described in answer to the question put to me, is 10,350 *l.* per annum, and no more; that is the sum total; and the smallness of the amount is very easily accounted for, because whenever these gentlemen get a little money it is immediately spent in some beautiful church, or some poor school, or some addition to a college; there is never any accumulation; the money does not rust in their pockets, but is spent at once in some good work or another, and they just keep enough to be enabled to support those gentlemen who are old, and sick, and ill; to keep old disabled servants, and that sort of thing; and to educate young men for Demerara and Bombay, and other English possessions; and to be able to give a little assistance to those missions which are unable to support themselves. There is no surplus of any kind; it is a perfect delusion to suppose that there is; there is nothing of the sort.

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1313. As I understand you, that is the total income of the personal estate, and you have already given us the quantity of land?—I have given you, and as I believe given you truly, the quantity of land.

1314. With reference to practical grievances, have you ever heard of anybody enforcing, or attempting to enforce, these penalties?—Certainly not; but I look upon it thus: it is something like your holding a bond over my head which you can enforce if you like. It is a very unpleasant thing to be subject to these penalties. I admit at once that, practically speaking, nothing of the kind has ever been attempted. I look upon it as an affront to us Catholics that such things should remain upon the Statute Book. I do not pretend to say for a moment that they have ever been attempted to be enforced; I simply speak of them as existing penal laws which are to us, sentimentally, highly offensive.

1315. As regards property, is there any practical grievance; have you ever heard of any instance of breach of faith in the persons who hold this property?—Never one.

1316. There is no practical evil, I mean; but it is a sentimental evil?—It is a sentimental evil, certainly. It appears to me to be better that there should be a permissive power of declaring a trust. I have not laid much stress upon that; I have distinctly disclaimed doing so; the religious orders are composed of gentlemen who have the most implicit confidence in one another, and as far as they are concerned, I do not think that they attach the slightest importance to it. We, the laity, or some of us, may attach more importance to it than they do; I admit that there is no practical grievance in it.

1317. Will you answer this hypothetical question: supposing that Parliament were to

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repeal all those (I will say) ineffectual provisions, and were to substitute for them restrictive, but enforceable provisions as regards superintendence, and so on, which lawyers could enforce, would you prefer that to the present law?—What do you mean by superintendence, if I may ask you?

1318. You know what the theory is in foreign countries as regards orders of men, and that there are very strong restrictions?—But we are Englishmen, and love our country.

1319. I ask you whether you would rather leave matters as they are, or run the risk of enforceable restrictions?—It must depend upon what the restrictions are.

1320. *Chairman.*] Will you allow me to suggest that you have stated yourself that you are under religious restrictions such as no other religious bodies in this country are under; now they are all within the purview of our law, and if there is any mal-administration, it can be brought under the cognisance of the law; but in consequence of its being supposed that these Catholic trusts are void from their nature, they are never brought before the courts; and the question I think points to this, whether you would prefer these properties being held on honour, or that they should be held like the property of other religious bodies, and be subject to the law of the country?—As to those persons who prefer that their property should still be held upon honour, let it be held upon honour; and as to those who prefer to take advantage of any opportunity of registration, and the attendant consequences, let them do it. There may be some who would much prefer to hold the property in their own hand. I can imagine reasons for that; for instance, supposing that the property is registered for a particular purpose, there would be great difficulty if it was wanted to be applied for any other purpose. It might be a very serious thing; a state of circumstances might arise which might render it desirable to change the nature of the purposes; but then they would be prevented from doing that if it were made a trust for those purposes. For instance, supposing that a state of things should arise in which it should be desirable to use these colleges simply for ecclesiastical students, instead of for students of the world, there would be a very great difficulty if funds were given for one purpose, and they wanted to apply them to another. One can only say this, that although practically there has been no grievance in this respect, and no one person has ever been found amongst these religious orders to misappropriate one single farthing, yet still there are some persons who would prefer that it should be under the law, particularly in cases where there was no intention whatever of changing the application of the property.

1321. But misappropriation, I think, rather conveys an idea not in question now; but having reference to what you said just now, that whereas a donor or testator had given or bequeathed the property for one purpose, it might appear to the trustees or persons who held the property in honour, that it might be diverted to another purpose, *cy-près* if you please, but different from what the donor intended; I think you state that no question has arisen of that sort?—Not that I am aware of; and I think that I should have heard of any if it had arisen.

1322. I believe a case has been stated in evidence before a Committee of the House of Commons where that occurred; the donor gave the property to support the ministry in a particular parish, but it appeared to the bishop that that property might be better employed in supporting a mission in Liverpool?—But I am speaking of religious men; I am not speaking of the clergy generally.

1323. You are speaking of the law, as it affects the Catholics at present?—All my attention has been directed to this question of religious men.

1324. Mr. *Jessel.*] You said something about a difference between Roman Catholic charities and the charities of other religions in this country; I am not aware of any difference, except the old exception of the Mortmain Act with regard to the then established, and we may say, national institutions?—I think you will find that there are other exemptions that have been added from time to time.

1325. I am not aware of any religious charities?—Not religious.

1326. I know of no distinction between one religion and another in that respect; can you state any?—I say this distinctly; a Protestant can leave property to endow his college, and I, a Catholic, cannot leave property to endow my college.

1327. Is that a fact, except as far as regards those ancient colleges, which for certain purposes are excepted; can a Protestant endow a new college in any different way from a Roman Catholic?—As far as executing a deed goes, that is a different thing; I am speaking of making a will.

1328. Is there any difference (I am not aware of it) as regards favour between, for instance, a Wesleyan and a Catholic?—No; I do not think that there is as regards a Wesleyan and a Catholic.

1329. Is there, in this respect, any difference, with the exception of these specified institutions, of a very ancient date, between the Church of England and the Wesleyans or Roman Catholics?—I do not know whether there is. I can only say, speaking for myself, that I think a Catholic ought to be allowed to leave property to his college just as a Protestant should be allowed to leave property to his college.

1330. But assuming it to be the law that a Protestant cannot?—But he can.

1331. A Protestant Dissenter cannot; would your opinion be in favour of a change of the law to allow everybody to leave property, or merely that Roman Catholics should be on exactly the same footing as the Protestants?—I think that Protestants, Roman Catholics, and Dissenters ought to be exactly on the same footing as regards their power to leave property; that there should be no distinction whatever; that is my opinion.

1332. Assuming for a moment that that is the present state of the law, you do not require any alteration in that respect?—No; assuming it to be the present state of the law.

1333. Assuming that Parliament should strike out the exceptions from the Mortmain Act, that would meet your views?—Yes.

1334. Do I rightly understand you to represent to the Committee that the Roman Catholics feel it as a grievance that they have not the same testamentary power to leave property to these institutions that is possessed as regards other communities?—I have not spoken for the Catholic community; I am merely speaking as an individual;

dividual; I have no doubt that hundreds and ousands of Catholics feel as I do upon that subct, but I am not authorised to say what Catho:s generally feel. Speaking for myself, I said, for xample, that Stonyhurst, or Oscott, or Ushaw are us as your Oxford, or Cambridge, or Eton are you, and therefore if you can leave property to our Oxford, Cambridge, or Eton, we ought to e able to leave property in the same way to our tonyhurst, Oscott, and Ushaw.

1335. Those exceptions relate to ancient instiitions, and do not apply to modern institutions, ther of the Church of England or Protestant issenters; the law is the same for all religions, it not, in this respect?—But it is exactly those ry exceptions that I think are unfair; merely ecause they are ancient, they ought not to be xceptions, and they were ours once, you know.

1336. If those exceptions were struck out of ie Mortmain Act, it would be all right?—As r as I am prepared to say, it would; but I did ot come prepared to give information upon that oint.

1337. What I mean is this, would you prefer triking the exceptions out of the Statute of Jortmain, or would you prefer instituting a law roviding for further exceptions?—I would have urther exceptions. I think that it is the right ing to allow people to leave property for colleges nd things of that kind, great national works. t is sure never to be done to any such extent as o do any harm; at least, I should regard that as ost improbable.

1338. Now do you think it also desirable that ersons should be allowed either to give or leave oney for the perpetuation of religious orders?—Certainly, if they think proper; why not?

1339. I mean does it come within your notion f the word "charity"?—They are not charities, f course.

1340. Then if they are not charities at present ccording to our notions of the law, there ought o be no other perpetuity allowed, ought there?—If you treat them as charities, and have them nrolled as public bodies, people ought to be able o leave property to them.

1341. As I understand you, although not harities, you would make an exception in avour of religious communities which are not harities by law?—As an individual Catholic, I hink that we ought not to be prevented from hose things; but I simply say, generally speakng, that whatever a Protestant is enabled to do vith his property by law, with reference to any nstitution with which he is connected, so Catholics and Dissenters should be able to do with theirs.

1342. Do not suppose that I am differing with ou in that proposition; but I want to call your ttention to this, that by law no one, be his religion what it may, can leave property in perpetuity except for charitable objects?—Yes, that is so.

1343. You have told us that the objects of hese associations, with the exception of teaching, nd so forth, which would be charitable objects, re not charities, and still you tell us that it is a grievance that you cannot by will or deed devote roperty to these objects: now is not that claiming a privilege for these bodies which is not enjoyed by others?—I do not want to claim any privileges. As far as my own feeling is concerned, I should be just as satisfied if I had any money to leave in that way in leaving it now, as I should under any law. I did not come prepared to enter into that part of the question. If I had been informed that it was wished that I should consider the state of the law in that respect, I should have come better prepared.

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1344. What I want to know is, what you think a grievance; do you think it a grievance that your community should be deprived of a power of doing that which is not at present allowed to any other community?—Yes, I do; I say that Protestants can do things that we cannot do.

1345. With the exception of those ancient colleges, what other things are there in which Protestants have an advantage?—Colleges are a most important exception.

1346. With the exception of those portions of Roman Catholic properties which have been decided in modern times to come under the doctrine of superstitious uses, is there any other subject of complaint?—There has been a great deal of complaint of late years as regards prisons and workhouses.

1347. I mean complaint as regards the devolution of property?—No, I think not.

1348. *Chairman.*] I think we understand you to say that any property which is bequeathed or given for a charitable purpose (charitable purposes including all those purposes which we have heard named here) is good at law as regards Catholics?—In personal estate.

1349. For any purpose such as that of education, or relief of the poor, and all those purposes that are enumerated in the particular statute professing to define what is charity, property could be taken by deed or will by Catholics?—Yes, certainly.

1350. The exception alone is said to be for what is called a superstitious use?—Yes.

1351. And that is the only limit to any bequest or donation of property to any of these colleges?—I believe so.

1352. Mr. *Matthews.*] If the charitable purpose is to be executed by a religious man, one having taken the prohibited vows, it would then be illegal?—Yes.

1353. *Chairman.*] That question has been put before to a witness, as to whether it was the person who administered the charity, or the purpose of the charity, that made it illegal, and I think I understood the witness before to state, that if the purpose was innocent, there is not necessarily any inquiry to the persons who administer it, but that if the charity was confined to administration by an illegal body that made it void?—Yes.

1354. It does not follow, if the purpose is innocent, that because those who administer it live in monasteries or convents, therefore it would be void?—No; but it is very unsatisfactory to have all kinds of doubt thrown upon things of that sort. It is right that the law should be put into a perfectly intelligible state, in order that no difficulties may occur; one man will give you one opinion, and another man another opinion, and it is very unsatisfactory.

1355. It would come to this, that you object to any order of men being pointed at by the law as a body or order of men that should not exist?—Yes.

1356. That is a complaint of the policy of the law; the policy of the law is to prevent certain orders of men living together and binding themselves by vows from living in this country?—Yes.

1357. That is the policy founded upon experience,

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rience, or presumed experience of mischief done, and you contend that there is no mischief done?—That, on the contrary, great good is done by it.

1358. And you contend that that law is oppressive?—Highly oppressive, and contrary to freedom in this country.

1359. I do not think that this is the only country where such a prohibition has existed?—I am quite aware of that, but because other countries do what is wrong, that is no reason why this country should follow them.

1360. Mr. *Matthews.*] Are you aware of any country where a vow is made penal?—No.

1361. *Chairman.*] Are you aware of any country in Europe where, during a certain part of the last century, the Jesuits have not been disallowed?—If not allowed, they have been there, so that the law has not been put in force.

1362. Have they not been expelled from Catholic countries?—In Catholic countries, or so-called Catholic countries, from which these religious gentlemen have been expelled, it has always been done by revolutionists; the next thing has been the king; and then the gentry. It has been done by secret society men, revolutionists, socialists; they hate you just as much as they do us.

1363. The term "revolutionist" would not apply to the Emperor of Austria, would it?—Not to himself, but to a great many of his people. I have no doubt that the thing was brought about by some of the men of whom I speak.

1364. It was at the time of the empire in Austria that the Jesuits were prohibited, was it not?—But what came afterwards?

1365. Mr. *Matthews.*] Do you know any legislation in which the mere spiritual act of taking a vow is made penal?—I do not; and if it did exist anywhere else, that is no reason why it should exist in free England. Englishmen have great freedom, and I think that Catholics ought to have the same freedom that other Englishmen have.

1366. Mr. *Jessel.*] We are going out of our line; but do you consider a law prohibiting undue restrictions of freedom to be necessarily opposed to freedom; is there not another view to be taken of it also?—There may be a great many views to be taken; men look at things in different lights altogether. I am entirely in favour of real freedom, not of licentiousness.

1367. You told us, just now, your views about a charity; is it your opinion, as a lawyer, that a gift of land, with the purpose of founding a college, with the superadded direction that the teachers of that college should be members of a religious order, would be necessarily void?—I do not say that it would be necessarily void; but I say that it is considered, in practice, so doubtful, that no one would think of attempting it. I entirely agree with Mr. Bagshawe. I think that he expounded the law in a manner which every one could very well understand. He said that many points were doubtful, and that other points were perfectly plain. I quite agree with what he said in that respect. People do not like to run such risks, you know. By some chance, the Court might take a different view, and your object be entirely defeated. Why not make the law clear and plain? Either that we can or that we cannot; one or the other.

1368. As regards, I will not say, the property of these institutions, but the property the income of which is devoted to these institutions, do you, as a lawyer, consider that evidence of the kind I will mention, brought before a court of equity would, or would not, be sufficient to establish a trust; suppose you show that for the last 50 years the real estate has been handed from joint tenants to joint tenants, and that uniformly during that period the income has been devoted for the purpose of the maintenance of a particular college, or a particular hospital; would not a court of equity, assuming that there was nothing illegal in the trust, hold that to be sufficient evidence of a trust?—Yes, it might be so; but the question is whether it could be shown that the property had always been so appropriated; it would not at all follow that it had.

1369. I put the assumption to you that it could?—I daresay that it might be so held under some circumstances; it is impossible to say. But, as a general rule, if it is merely the bent and impulse of a man's mind to employ property in a particular manner, until he has executed some declaration of trust which is final, he is not considered bound.

1370. Take the case which I put of property held in that way by a succession of joint tenants for half a century, and suppose it was proved in evidence that during all that time the income had been applied to, we will say, a charitable purpose, in support of a hospital or college for education; I am putting it to you as a lawyer, whether that would not be treated in a court of equity as sufficient evidence of a trust?—I daresay it might.

1371. Assuming the trust to be legal, would not that be enforced against a joint tenant who attempted to use that property for other purposes?—Yes, assuming that state of facts to exist.

1372. Assuming it to be a legal purpose intended, do you mean to say that a court of equity would allow any one of these joint tenants who derive the property simply by conveyance from prior joint tenants, to divert the property as he chose?—You assume that the rents have always been applied to that purpose, but very likely in the case of religious men it would not be so at all, because the money would go into one bag, and you could not earmark it: you could not do that, but if you could, that would be the way in which it would be decided.

1373. When you say that the property held for the benefit of the institution is the absolute property of the individuals, you mean supposing the trust to be illegal?—No; I say that they have perfect power, if they like, to divert it to any other purpose which they think proper; and they are neither bound in law nor in honour, nor in conscience, to keep up any particular college or place; if they wished to change from London to Jamaica they could do so, or if they wished to change from a secular college to an ecclesiastical college they could do so; there is no such obligation amongst religious bodies, as you suppose.

1374. But you know that the moment a man is bound in honour to apply the proceeds of property to some purpose, not for his own benefit, and if that purpose is a perfectly legal one, so that there is something more than honour, that could be enforced, could it not?—Yes; but these very persons would be the persons who would have to do that themselves.

1375. Let me put it to you in another way: supposing that the trustees of a religious house (supposing the religious house were valid) could be

be shown to have used a property not for their own benefit but for the benefit of the religious house for a great many years past, and had acquired that property without will from certain other persons, have you any doubt, as a lawyer, that that would be a trust?—Supposing you could prove all that, that might be sufficient.

1376. It is only in the case where a trust is illegal that you cannot enforce it, is it not?—These things have not generally existed, you know, for 40 or 50 years, or any such period.

1377. I put a strong case to you, but there may be of course sufficient evidence with regard to a less period: supposing that you made the religious houses of men legal to-morrow, so that there was no objection on that score, have you any doubt that with such evidence as I have alluded to, a court of equity would prevent the nominal owners of that property from appropriating it to their own benefit?—I daresay, supposing that those penal clauses were annulled so that trusts of that description would become legal, there may be some circumstances in which a trust might be held to have taken place, and to have been proved.

1378. Mr. *Newdegate.*] You state that you appear here as the agent representing the religious communities of men in this country, and by "religious persons," I conceive that you mean the same as is meant by the word *réligieux*, abroad, and that they are the regular orders?—Virtually, you may say that they are.

1379. The religious orders have been modified, and different regulations in some respects adopted with respect to them, since the commencement of this century?—I do not know what alterations have been made since the commencement of this century. These gentlemen regulate their own affairs. I do not say that any alterations have been made, or that they have not been made; I ask, how is it possible for me to know that, or anybody, except one of the members themselves?

1380. But you understand that these gentlemen are bound by the organisation of their several orders?—Their consciences are bound; there is no obligation in point of law. Their vows impose no obligation in point of law; they are merely registered in heaven, that is all; nowhere else. In this country there is nothing of the kind.

1381. And also registered in the central depôt of the order?—I do not know of any central depôt of the order at all.

1382. Are you not aware that these orders are represented by some official at Rome?—No, I am not aware of anything of the kind; and supposing it to be the fact, I see nothing in it.

1383. I only ask you whether you are aware of it?—No, I am not aware of anything of the sort; on the contrary, I believe that many are not represented by anybody at Rome. Some may be; others, I am quite sure, are not.

1384. Are you quite sure that some are represented in no way at Rome?—I have not read all the rules; I really speak there my own individual opinion.

1385. When, therefore, you asserted a little while ago that these are free Englishmen, you could not have made that assertion, I presume, without reference to the obligations which constitute the order?—There are no obligations on the order which militate in the slightest degree against the duties of Englishmen, I am quite sure.

1386. Then you are conversant to a certain degree with the regulations?—I do not say that I am cognisant of the regulations; I say that I feel quite sure.

1387. That is only a general impression?—That is a general impression. That is the answer which I gave you. If your impression is that they are, my impression is that they are not.

1388. Your impression is, that there is no system of organisation and of discipline prevalent in most of these orders recognised by the same names, in different parts of Europe?—They are recognised by the same names in different parts of Europe, but it does not at all follow that they are not quite independent of one another.

1389. Do you mean that the several branches of these orders, as established in different countries, are independent of each other?—I think probably it is so.

1390. Are you aware that it is?—I believe that it is so.

1391. What is your reason for your belief?—Simply from a general observation during the last 30 years during which I have been acquainted with these gentlemen; I never heard of anything of the kind.

1392. But are you aware, coming to a period within 30 years, that there has been a considerable change in the relation of the religious orders and the property held by them effected under the authority of the brief of 1850?—What brief do you mean?

1393. Letters Apostolic issued in that year?—That has nothing to do with English law in any shape or way.

1394. I think it fair to warn you that there is evidence before the Committee of 1851-52 that it had a very powerful effect on the disposition of property in England held by members of the Church of Rome, and especially by priests; you are not aware of that?—It might affect the minds of persons, but there is no legal effect of any description. People might be influenced in their intentions by a brief which came from Rome, but it would have no legal force whatever in this country any more than if you were to issue a brief.

1395. And the reason of that is that a statute has been passed prohibiting the effect of that brief?—No foreign power has any right whatever to regulate the law of property of England.

1396. Then you do not concur with the witnesses in 1851, who declared that the effect of that brief would be to subject property in this country to a foreign authority?—I do not know anything about the evidence given in 1851; I simply state broadly that no brief from Rome or anywhere else can have any legal effect upon any property in England.

1397. Do you mean by its not having legal effect, that if it is not recognised by English law it would not have legality according to English law?—I mean what the word conveys, that it has no legal effect. If a man chooses of his own free will to do a thing in a certain manner, he is not, for that reason, obliged to do it; he may if he likes, or he may not. Our laws are not affected by anything that comes from Rome.

1398. That is to say, a man may do as he likes provided that he is not restrained by the law?—Certainly, with property in England.

1399. I think that you expressed strong disapproval of the law against Mortmain which is the English law?—No, I have not expressed any disapproval of it; I have said, on the contrary, that the exemptions ought to be extended to us.

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1400. If you said that the exemptions ought to be extended to you, then you disapprove of the restraints? — Yes, I disapprove of our being restrained any more than other persons are, any more than Protestants are.

1401. I think that, in speaking of your colleges (and I believe you have instanced those of Oscott, Stonyhurst and Ushaw), you said that they ought to be no more restrained by the law against Mortmain, than Oxford and Cambridge? —That is my individual opinion; I think so.

1402. And you stated strongly that that was a grievance to you?—In my opinion it is.

1403. You are speaking as the representative of the religious communities generally in this country?—Not on that point, because I never intended to give any evidence on questions of that kind. That was merely mentioned by me incidentally. Those gentlemen have no idea of my saying one single syllable about Oxford or Cambridge, or anything of the kind.

1404. Are you aware of the reason that Oxford and Cambridge are exempted?—Because they are national colleges for Protestants.

1405. Are you aware that the exemption was in consideration of a constitution regulating those universities by a separate code, especially enacted for those two universities?—It would make no difference, in my opinion, at all, whether there was any such thing or not. I simply say, in answer to the question of the honourable Member, that, in my opinion, Catholics ought to be allowed to give property to their colleges in the same way as Protestants are allowed to give property to theirs. That is all I have said, and I adhere to that opinion.

1406. But you will allow me to ask you further, whether it is your desire that Parliament should frame a code for the regulation of these Roman Catholic colleges, which you consider to be aggrieved?—No; I do not wish Parliament to interfere in the slightest degree with them.

1407. But, at the same time, you desire that the law against superstitious uses, which restrains the gift or devising of property for the purpose of securing by payment prayers for the dead, should be repealed?—I do not see what superstitious uses have to do with colleges; I do not see that there is any relevance at all; colleges and superstitious uses have nothing to do with one another.

1408. Are you aware that the greater part of the property of the colleges at Oxford, Christ Church especially, before the appropriation was altered by Cardinal Wolsey, belonged to religious houses which were supported by property left for securing prayers for the dead, their founders included?—Supposing that to be so, what has it to do, I ask, with religious convents and monasteries of the present day?

1409. I thought you stated that it was a grievance that the law against superstitious uses prevented property being devoted to securing prayers for the dead, which prayers were, formerly in this country, and are still abroad, said by the inmates of monasteries?—But there may be plenty of prayers said by people who are not inmates of monasteries. It does not at all follow that prayers should be ordered to be said by inmates of monasteries. Supposing, for the sake of argument, that a man could leave money for masses, it does not follow that it should be left to inmates of monasteries. There is no connexion between the two, in my humble judgment.

1410. Are you aware of the title of the property which is at present held by Christ Church, that it was originally a property held by monasteries on condition that the inmates of those monasteries said prayers for the dead, the founders included?—I have no doubt that is the case, but it does not at all follow from that that monasteries and colleges of the present day in England are held upon the same condition.

1411. Am I to understand that you declare that the monasteries which exist in England are not tenanted by those who would say prayers for the dead?—Who "would," that is another thing, but they are not held upon any such condition.

1412. But I thought that you refused to state the conditions on which they are held?—I have told you that they are held upon no conditions, consequently they are not held upon that condition.

1413 I thought you objected to the law against superstitious uses, because it operated against the constitution of trusts, including prayers for the dead, and that you said that this law was peculiarly offensive to the Roman Catholic body? —I said that it was offensive to me individually, I did not undertake to answer for other Catholics, nor did I connect superstitious uses, as they are called, in the slightest degree with convents or colleges.

1414. You certainly stated that it was offensive to the Roman Catholic body?—I said that to a great many Roman Catholics I had no doubt it was offensive; but you must particularly understand that I have no authority to speak for Roman Catholics on that subject.

1415. If that law is not offensive to Roman Catholics it is no grievance?—But it is offensive; I have no doubt highly offensive; insulting in the highest degree.

1416. Are you aware that when this country was Roman Catholic, the principle of the laws of Mortmain was enforced in consequence of the accumulation of property in the hands of monasteries or religious bodies collected for the purpose of saying prayers for the dead, including the souls of the founders?—I have no doubt that at that time a great deal of property was collected together for that purpose; but that has nothing to do with the monastic institutions of the present day; here we are in England 1870; it is nothing to me what was the custom or the practice in 1470, I submit to you.

1417. Are you prepared to state that the purposes of the monastic orders, the purposes with which the monastic orders are constituted in the present day, are different from the purposes for which the monastic orders existed prior to the reformation?—I can only say that in the present state of England, in the present state of things, the whole tenor of their lives is very materially different; they have missionary work, and they go and visit; they do not live in common, and the monasteries of the present day in England are as different as possible from the monasteries 400 years ago; you now have monasteries and religious orders having missions and all sorts of things; at that time, they lived as large bodies of men in communities by themselves.

1418. Are you aware that the practice of the Jesuit body in respect of living in community, has always been different from those of the other ancient orders of the Church of Rome?—No; it has been different in different countries, it depends

pends upon circumstances; I know what the rule is in England, and I submit that that is all we have to do with.

1419. You are not aware that during the last 40 years there has been an arrangement made by which a great assimilation has taken place in the organisation of the branches of the religious orders throughout the Continent and England, to the organisation of the Jesuits?—I submit that that comes under the question of the character of monastic institutions which does not refer to the present question. The question is, as to the property of these gentlemen, and I will answer anything I can as to that; but as to their character, that is beside the question, I submit to the Chairman.

1420. You stated, with respect to property, that previous to profession, an heir to property must, according to the rules of all these orders, alienate his inheritance by deed?—Yes.

1421. Is that according to the rule of all these orders?—So far as I know; I know of no rule to the contrary.

1422. Are you prepared to assert that that is the rule universally applied?—I am prepared to assert that what I stated in evidence before is the rule which is applied in all the important orders, and, I believe, in all the smaller orders; I know of no exception.

1423. That is part of their organisation?—What I stated is the fact.

1424. You state that that is, within your knowledge, part of their organisation?—I know that from inquiries that I have made, because that relates to property; that is the reason why I made the inquiry.

1425. Then do you believe that this rule is applicable to the orders generally, or is it a special rule with respect to the orders so established in this country?—I believe it is a rule universally adopted by the orders which are established in this country.

1426. And is it also a rule, that if any person, being a member of one of these orders, inherits property after his profession, he shall then alienate it to the next heir?—Certainly.

1427. And by the next heir you mean the next heir according to the law of England?—Certainly; his brother, for instance (I have mentioned the case of a peer), just as though he were dead, in point of fact.

1428. Then practically those orders recognise the civil death of their members?—No, it does not at all follow that practically they do that; on the contrary, I have told you that if they get anything by will they keep it.

1429. But in the matter of inheritance?—In the matter of inheritance it is so.

1430. They recognise the old law that they are civilly dead?—No, they do not recognise the old law; the course is such as it would have been under the old law, but it does not at all follow that they act upon the old law.

1431. They act upon the principle of the old law?—It so happens that the principle of the old law is the same principle as is adopted now, but it does not follow that the rule exists because it was the old rule.

1432. It is adopted in the rules of all these orders?—Yes.

1433. When you speak of legacies, I suppose you mean any property or sum of money devised by will?—Certainly.

1434. In that case the religious person or regular would have the control of that property, according to the rules of his order?—He would take that property; he would not renounce it in favour of anybody, because the testator only wished him to have it.

1435. Then the only exception you make is where inheritance is without a will?—I do not make exceptions; I have simply told you what those two rules are.

1436. I want to know the distinction which this rule makes, whether there is a different rule applicable to property inherited by primogeniture, or the general law of this country, as distinguished from property inherited by will?—Yes, I have told you, I think, in the most distinct terms that it is treated differently.

1437. Then any property devolving on one of these regulars, after profession by will, would be his own?—Certainly.

1438. And then you stated that there is a rule of poverty in these orders, which is not the same rule as the rule of Mendicant Orders enjoining absolute poverty dependent upon alms, but there is a rule restraining the individual members of these orders from the retention of more than a very moderate competence?—Yes, there is a great difference between the Mendicant Orders, and the other orders.

1439. That is to say, there is a rule of poverty universally efficable throughout all these orders, but it is not the rule of the Mendicant Orders?—No; it is not sordid poverty.

1440. But it is in restraint of the retention of above a very moderate income by any of the members of that order?—Any property which a religious man after profession may get to himself, confers upon him individually no personal benefit, because his course of life remains exactly the same. He has no better house, he has no better clothes, no better living, no further amusement, or anything of that kind. It is simply this, that it is his duty not by the law of England, but in his conscience, to apply any money he gets to some good and charitable purpose, and he does so apply it.

1441. And if the community of which he is a member is in need, he would consider the sustentation of that community a good work?—I daresay he would, but he would please himself about that; it is his own affair, he is the legal owner; you do not admit any other law in England but the law of England; and he is the legal owner.

1442. The only rule of the order is, that he shall not keep above a very moderate amount of property for his own use?—That is nothing to the purpose at all, I submit; whether he keeps it or does not, is his own affair; the property descends to him by law under will, and he takes it and does what he likes with it; he would not apply it for his own personal benefit, but to some useful purpose. That would be his better inclination, but it would not constitute a trust.

1443. Are not the members of these orders all bound to promote the continuance and the extension of the order to which they belong?—No; I do not know that they are bound to anything of the kind. It would naturally follow, of course. Any man would like to promote any object which he was ardently attached to; but I never heard any rule on this subject. A man likes to promote the interest of his family, or his country; and, if he belongs to an order, it is not unnatural that he should like to promote the welfare of the order; but I know of no such rule.

1444. You

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1444. You do not mean, after your previous evidence, that the Committee should understand from you to assert that these regular orders are mere accidental combinations of individuals?—They are, certainly, accidental combinations of individuals. It is a perfect accident whether a man joins an order or not, just as it is an accident whether you join one club or another. Something or other induces him to join the one that he does; but there is no power to make him join.

1445. You have stated certain rules which are applicable to the organisation of all these communities; these communities are bound by certain rules which are applicable to all of them?—Yes.

1446. You cannot term them, therefore, mere accidental combinations?—I know nothing about combinations; I know, as a matter of fact, that one gentleman who has got a considerable property, being a member of these religious orders, gave a great deal of it to some purpose totally foreign to that religious order.

1447. You have stated that 2,032 acres of land belonged to the colleges?—That they were held by the colleges; I did not say that they belonged to them.

1448. To whom do they belong?—They belong to private individuals, as I have before stated.

1449. Being members of those colleges?—Not necessarily.

1450. But the produce of these acres you stated is applicable to the purposes of these colleges?—I said that the legal owners permitted the produce to be applicable; that is what I stated, and that is the fact.

1451. But, practically, the produce is applicable to them?—No; it is allowed to be so applied. It would not be applied if they did not wish it, but it is applied by their permission.

1452. Is Stonyhurst one of those colleges?—I must decline to mention any names of any description. Looking at those clauses in the Catholic Emancipation Act, I must decline to allude by name to any college or colleges.

1453. Then it would be inconsistent with your duty to your clients to tell us whether Oscott is one of those colleges?—Oscott is not, of course, as everybody knows, and therefore I can say that at once. But I decline to enter into that question on the ground of professional confidence. I think I should not be justified under all the circumstances in entering into the question of the names of those colleges. Any information that I can give you at all within the mark, I shall be very happy to give you; but I submit that the names are immaterial.

1454. Will you state the names and the details of the property belonging to these 10 colleges?—No, certainly not.

1455. But you did say that Oscott is not one of them?—You happened to mention Oscott; and that there may be no misapprehension I tell you at once that Oscott is not one of them.

1456. You say that the professors in these colleges are generally of the regular orders?—Yes.

1457. Is not that the case at Oscott?—Oscott is not a conventual or monastic institution in any sense or shape; it has no reference, I submit, to this inquiry.

1458. Then you will say that there is a distinction between Oscott and Stonyhurst?—I do not say whether there is or is not; it is nothing whatever to the purpose, I submit.

1459. You refuse to give any information as to the one, and you consent to give information about the other; where is the difference?—Pardon me, I have given no such consent; on the contrary, I have distinctly told you that I shall decline to give you any information as to any one of these colleges. I have simply told you that there are 2,032 acres of land held with all the 10 colleges belonging to religious communities of men, and I have further stated that there are no more than 10 colleges belonging to religious communities of men, and no more than 2,032 acres of land.

1460. Do you desire to withdraw, as erroneous, the distinction which your previous evidence contains between the status of Oscott and that of Stonyhurst?—I do not withdraw as erroneous anything of the kind. I have not said anything of Stonyhurst. I have simply said that Oscott is not one of the 10 colleges within my evidence.

1461. Do you know the college of Downside?—I submit to the Chairman that it is quite immaterial whether I know it or not.

1462. You decline to state the number of religious persons or regulars in this country?—I do.

1463. But you referred in one of your answers to some work which you called "our 'Directory'"?—The "Catholic Directory" which you yourself produced in the examination of a previous witness.

1464. This is the work (*handing the "Catholic Directory" to the Witness*)?—That is the work.

1465. Then, in your opinion, are the lists of conventual and monastic institutions given in this "Directory" correct?—In all human probability, they may be correct; it is compiled just like any other "Directory" from information which the publishers endeavour to secure in the best way they can.

1466. Have you any information contradictory of the lists and descriptions here given?—Not any whatever; I should just observe, if you turn to page 288, of that "Directory," you will find it mentioned in the summary of Catholic statistics of Great Britain, at that page, that there are 69 religious communities of men in England; and I have given you information that there are 30 houses and 121 parochial residences; therefore considerably exceeding the 69, so far as that goes.

1467. Then I conceive that the 121 residences and the 30 houses are not all considered by the compilers of this work as monastic or conventual institutions?—I presume so; I have judged so simply by the figures 69 being put; if they had considered that there were more, they would have put more. I have given you a true account of the total number of parochial residences and houses possessed by all the religious men in the country, which exceeds considerably the number in that book.

1468. Then is the Committee to understand that the 69 institutions, named on page 288 of the "Catholic Directory," are included in the 151 houses and parochial residences?—Yes; it would be more correct to have said that there were 30 houses of communities of men and so many parochial residences which are, in the point of fact, mere parish churches.

1469. Then you dispute the accuracy of the number 69 given in this "Roman Catholic Directory,"

Directory" at page 288, as described in the institutions enumerated as monastic institutions?—Certainly; there are no such things.

1470. There are only 30, you say?—There are only 30, but there are 121 parochial residences belonging to persons who are religious men which they have omitted to mention; therefore I give you that as a little proof that I am not wishing to shirk anything.

1471. Therefore you consider that all the houses of the 69, above the 30 that you have mentioned, are of such small dimensions as not to deserve to be considered monastic institutions?—They are not monastic institutions at all, they are parochial churches.

1472. And yet they are inhabited by regular clergy?—By one or two as missioners, as parish clergy.

1473. Your previous evidence was that they were inhabited by the regular orders?—By one or two; I expressly mentioned that, although members of the regular orders, they were there as parish priests, as working clergy. The mere fact of their belonging to the religious orders makes no difference to their being working clergy; they are working clergy all the same.

1474. But they are regulars?—They belong to regular orders.

1475. And in some cases these houses contain more than two or three such persons, do they not?—I really do not know how many they contain; I simply say, as a general rule, one or two.

1476. That is the general average of the usual number residing?—Yes, in parochial houses, according to the number of the population. There might be one, or two, or three.

1477. Then in certain particulars you dispute the description and enumeration given in this "Catholic Directory"?—No, I do not dispute anything of the kind; I have nothing to do with it at all. You refer to that, and I simply say to you that there are not 69, that is all.

1478. You assert that there are not 69 institutions that deserve to be considered monastic?—Certainly not.

1479. Although they are inhabited by regular priests?—It appears by my evidence that there are only 30 which in any way deserve the name of religious communities, and that the other 121 houses, belonging in fact to different persons who are members of those communities, are simply served by those persons as parish priests, as though they were not regulars.

1480. You would consider it inconsistent with your professional engagements to state where these 150 houses are?—Decidedly.

1481. I think you stated that the total income of personal estate possessed by these regular priests amounts to 10,350 *l.*?—Per annum in the total.

1482. And as the reason for that amount being so small, you stated that they had been contributing largely to the erection of churches, colleges, and other objects, for the extension of the Roman Catholic faith?—No, I did not state that they had been contributing largely; I said that if there was any little surplus, that little surplus was supplied towards the additions to churches, towards building schools, or some good work.

1483. The words you used, I think were, that that expenditure prevents accumulation?—I said that in consequence of that expenditure, there was no accumulation.

1484. And you stated, in conclusion, that you think it would be objectionable if the law required registration of all this property?—I think that it would be exceedingly objectionable if it was compulsory; I think that it would be a very good thing if it were permissive. It does not at all follow that persons who are members of religious orders to-day should be members of the religious orders to-morrow; they might choose to leave the religious orders, and the property might go in some other way; you cannot make anything compulsory in that way.

1485. Are you aware that in the case of the colleges of Oxford and Cambridge registration is exacted?—That may be so.

1486. That is a condition which you do not wish to be imposed upon the establishments which you represent?—I think that in some cases it might be considered objectionable; I merely state my individual opinion, that is all. The gentlemen interested might take quite a different view. But I was not prepared to enter into points of this kind, but merely to tell you the extent of their property, and how it was held, received, and possessed. I simply give you my own individual opinion.

1487. Do I rightly understand that the tendency of your evidence is, that you object to the restraints imposed by law upon the establishment of the regular orders in this country?—I do object to them, as being most offensive and injurious to Catholic interests.

1488. You object generally to the restraints of the law of mortmain?—No, not generally. I say that Catholics, I think, should be enabled to do for their colleges and institutions what Protestants can do for theirs. I do not object to a proper law of mortmain; on the contrary, I think that a proper law of mortmain is a good thing. But I simply say that what a Protestant can do, that a Catholic ought to be able to do, in my judgment, or a Dissenter.

1489. And the case which you instanced of advantages which the Protestants possess, and the Catholics do not, were the two universities?—I simply alluded to those as an instance.

1490. Would you object to equivalent restraints and equivalent legislation being applied to these Roman Catholic institutions, to those which are applied to the Universities of Oxford and Cambridge?—I do not think that the Catholics of England should be more favoured than Protestants. I am not speaking for Catholics, but for myself. I think that there ought to be the most perfect equality of justice, that one should not be favoured more than another in questions of property. I do not think that Catholics should be favoured more that Protestants, or Protestants favoured more than Catholics.

1491. I am afraid your evidence would amount to this, that you object to restraints altogether?—I do certainly to any further restraints than are imposed upon Protestants. They cannot leave, except to certain colleges, by will.

1492. You object to the conditions under which those colleges exist being applied to Roman Catholic colleges?—I say that I think registration might be objected to in some cases, in all probability; it might not always.

1493. And therefore you would not object to visitation?—Of course, I should object to visitation.

1494. You are aware that the colleges of Oxford and Cambridge have visitors recognised by law?—

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law?—I should not object to the same kind of visitation that is carried on towards Protestant colleges, in the same way exactly, as far as that goes, if you mean that; but I object to our being visited and others not; I object to our being placed in a different position from other places. Why should we? We are Englishmen just as much as other people.

1495. Are you prepared to suggest a form of visitation which you would approve of?—No; I did not come prepared to suggest anything of the sort.

1496. But generally you object to the law as it exists?—I object to the law as it exists.

1497. Mr. *Pease.*] You have stated that any surplus from the annual income is almost always invested in articles, or in purposes for the benefit of the institution?—I said that in cases where there happens to be any little surplus it is expended in additions to churches probably, or in poor schools, or in some other good work.

1498. There is nothing in the legal disabilities to which you have alluded which prevents the accumulation of property, is there?—No, not that I am aware of; but there is no desire to accumulate.

1499. Accumulation does take place not so much from income, but from additional benefactors?—No accumulation takes place at all; I should not call that an accumulation; it is simply this, if there is a little surplus, a few hundred pounds, you may put a new window into a church, or put an additional wing to a school, or something of that kind.

1500. I do not wish to ask any question in violation of the rule which you have laid down for yourself, but the 10,350 *l.* a year, and the beneficial occupation of about 2,500 acres of land, cannot maintain the colleges which you have named?—No, but the pensions must be taken into account.

1501. May I assume that there are pensions, education fees, and gifts, which make up the required amount of their income?—There are pensions, as I mentioned, of 40 *l.*, 50 *l.*, 60 *l.*, and 100 *l.* a year from the scholars; and it is by reason of the services of the gentlemen who conduct these establishments, being in fact gratuitous, that so much can be done with so small an amount of money.

1502. You stated that Catholics ought to be able to do for their institutions what Protestants and Dissenters (I do not know why you draw that distinction between Protestants and Dissenters) can do for theirs; that is your decided opinion?—Yes.

1503. Without reference to the character of the religious purposes, or rites, or uses involved?—Yes.

1504. That is, you think, that it is hard that an endowment, or a benefaction, or a bequest, should become invalid merely because it is left for the purposes of prayers for the dead, for instance?—Yes, certainly I do.

1505. This is on the ground of those views of religious equality which are prevalent in this country?—Certainly.

1506. Then you say that all religious bodies should be treated alike?—I say so.

1507. Would not that involve you in the toleration of Mormonism and its rites, or even of Heathenism and its rites?—I should not call Mormonism religion, but socialism.

1508. Who is to be the judge where religion ends, and socialism begins?—I would extend toleration to all those who profess the Christian religion.

1509. Then you have to come back to the State, to say where the line is to be drawn?—Parliament must decide what is Christian and what is unchristian in the eye of the law; there is no power in England but Parliament, I suppose, to decide it.

1510. There is a point where the State must intervene in that respect?—Yes.

1511. There is a point where it must define the difference between religious liberty and licentiousness.

1512. Mr. *G. Gregory.*] With regard to what you have said about your colleges, the Presbyterians, I believe, have their colleges, the Wesleyans have their colleges, and other denominations have endowed colleges?—Yes.

1513. Why should not you?—I do not see why we should not. We can have them now, provided that they were not connected with monastic institutions. Those penal sections of the Catholic Act Emancipation Act prevent any legal trust being declared of any institution which is managed by and belongs to the members of a religious order.

1514. Then your grievance, as I understand, is not with respect to the institution itself, but the machinery by which it is conducted?—Certainly; colleges which are not conducted by religious men are not illegal.

1515. Colleges you can have, but you cannot have them under the jurisdiction of religious orders?—No; and then it comes again to this, that owing to the small number of Roman Catholics willing to teach, the effect of not having members of the religious orders for that work would be that we could not have colleges, because the persons could not be found. They are absolutely necessary for the Catholic body in this country.

1516. On the question of the legality of colleges, you admit that you can have them on the same footing as other denominations?—Yes.

1517. But you have a difficulty, because you wish them to be conducted by religious orders?—Because the great majority of them must necessarily be conducted by the religious orders; the men are not to be found without.

1518. And that difficulty you wish to have removed?—Certainly.

1519. And you put that on the footing that the colleges at the universities are not subject to the same difficulty?—No, that was merely a passing observation with reference to what I think Catholics ought to be able to do.

1520. But I understand that your ground for asking for the removal of this disability is, that there are other colleges established in this country which are not so restricted?—I should consider any restriction altogether improper, and exceedingly hard; but I do not put it on the ground of other people having this, or not having that. I simply say that there is a law which restrains any gift to any institution belonging to religious men.

1521. Do you give up, then, any analogy between these colleges and those of Oxford and Cambridge?—No, I simply said this, and I wish the Committee to understand it, that our great colleges, so far as we are concerned, are as dear to us, and as important to us, as your great colleges are to you.

1522. But

522. But do you wish them to be put on the e footing as our colleges?—I am not suffi-tly acquainted with the footing on which r colleges are to be able to answer your stion. I happen to have been educated at of our own colleges.

523. But as you have been giving evidence ut ours, and comparing your own with them, resume you made yourself first acquainted h the constitution of ours?—Pardon me; ting it broadly, I simply said this, that the rtmain Act excepts certain colleges belonging Protestants, and that it is a great advantage Protestants to be able to leave property to se colleges for the purposes of education. ay that we Catholics have not the same antages with reference to colleges which to us nd in exactly the same position and light as se colleges do to you.

1524. Now I ask you whether you desire to put on the same footing as those colleges are, merely with respect to the Mortmain Act; you willing to be put in other respects on the ne footing?—You manage your colleges as you e, and we wish to manage ours as we like.

1525. We do not manage ours, but the law es; are you willling to come under the same v?—I am not able to pledge others.

1526. If you demand the same rights, are you lling to take the same liabilities?—I do not mand the same rights; I simply said that I ought it hard that we should not be free to ave property to such institutions.

1527. You see your observation comes to this, d you have repeated it now, that certain col-ges in these two Universities are exempted om the Statute of Mortmain; you say it is hard at your colleges should not be exempted in the me manner?—I think it is.

1528. And I ask whether, giving you the same emptions, you are willing to take the same bilities as those colleges to which you refer?—really do not know what those liabilities are; I resay that there would be no objection; but nether there would or not, would depend on e gentlemen who conduct those colleges.

1529. Surely you have made yourself to some tent acquainted with the state of the law as aring upon those colleges?—No; I really do t know what the rules and regulations of those lleges are.

1530. You are aware that the Crown appoints itors to those colleges?—I heard it mentioned st now; I daresay that I may have heard it 20 nes before, but my attention was never directed it at all.

1531. You have been asked as to the question a constructive trust in property which is held these religious bodies; the property is vested joint tenancy, and of course it survives to the t of those joint tenants?—Yes; unless some-ng else intervenes in the meantime.

1532. I am taking simply joint tenants with-t any fresh nominations?—Certainly, in that se it does.

1533. The survivor would take it, according to u, both legally and equitably entirely?—Yes.

1534. Supposing that he left an infant heir? It would go to the heir if he did not leave a ll.

1535. Absolutely?—Yes.

1536. And you would have no claim upon it? None in law.

1537. Or in equity?—Not in equity, as ad-nistered by the Court of Chancery. You must remember that I premised in the first instance that the property, generally speaking, is property given by members themselves, that is to say, belonging to them; there has been no claim of trust from generation to generation, but the property almost entirely is the property belonging to persons now living; they have never created any trust at all; they have simply chosen to give it during a certain number of years, just as if you chose to give 500*l.* a year to Charing Cross Hospital for 20 years, it does not follow that you would give it after that.

1538. But we have a question of 2,500 acres of land vested in these trustees?—Not trustees.

1539. Vested in joint tenants?—Yes.

1540. I am supposing the survivor of these joint tenants to die without a will, leaving an infant heir; to whom would the property go?—To the infant heir absolutely.

1541. None of the members of these societies would have any claim on it?—No.

1542. You would give it up?—I simply say that I believe that would be law.

1543. You have given us an income of 10,350*l.* a year, received by these religious persons?—Yes, received as individuals by persons who happen also to be religious men.

1544. And from your description of the application of that, I gather that it is all charity?—No, not charity at all; simply, as I said before, that it is their own property which they choose to distribute in a certain manner during their own will and pleasure.

1545. I think you told us that it was devoted to the maintenance of old men who have grown old in their service?—That is to say, their own members; they choose so to devote it.

1546. That is a charitable purpose?—It is a gift, it is not a trust.

1547. I am not speaking of the trust; I am speaking of the purpose?—It is a kind thing to do.

1548. Is it not charity in the legal sense of the word?—No, certainly not; not a charitable trust, because there is no trust.

1549. I am not speaking of a trust at all. Is it not a charitable application of the property?—It is just like this case: supposing, for instance, this 10,350*l.* a year belonged to one particular person as his own property, and he chose to devote a part of it to this and that charity, and the rest to foxhounds, he is under no obligation to continue that charitable application.

1550. I am only asking you whether these purposes are not what are commonly known in law as charitable purposes?—Not in law.

1551. Not the maintenance of old men, for instance?—That is not considered a charitable trust in any way.

1552. Let us drop "trust;" is it not a charitable purpose in law if a man gives money to the maintenance of old men?—That puts the case in a very different light from what it really is; it is a charity in the same sense as any money that you give in charity; no more than that; there is no obligation to continue it; it is a mere application for a kind or charitable use for the time being; a very praiseworthy application.

1553. Here is an annual income of 10,350*l.* applied to a charitable use?—Not all necessarily applied to a charitable use.

1554. But the greater part of it; it is derived from various sources, and vested in several individuals. Now, supposing that it belonged to any other denomination, would not it come under the

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trustees of charities?—No, because these gentlemen are not bound as to manner, time, place, or anything else. It is quite different from a charity; it is no charity at all, and has nothing to do with charity. Simply because they choose to apply their money for a certain purpose during their own will or pleasure, that does not constitute a charity.

1555. But these purposes are not "their own purposes"?—Yes, they are their own purposes; these purposes are the hobby of their lives.

1556. Do not they constitute themselves charitable trustees?—They are not trustees; they do not hold it for the purpose of administering in charity; they might spend a great deal more upon themselves if they liked, very properly for the sake of their own health and recreation, and it is a great pity that they do not.

1557. The honourable Member for North Warwickshire has asked you about some brief issued in 1850; does that brief affect the question of the devaluation of property in any way?—Not in the slightest degree.

1558. It does not refer to it?—Not in the least.

1559–60. Either legally or as a matter of conscience?—I cannot answer that question; but it does not in my own conscience in any shape or way; as far as I know, it has nothing whatever to do with it. I do not believe that any brief from the Pope has anything whatever to do with the property of the religious communities.

1561. Mr. *Talbot.*] You said that these persons were not trustees, did you not?—Certainly.

1562. The reason why there are no such trusts is because the trusts would not be illegal, as I understand you?—I do not say that that is the reason; I say that if the trusts were legal it is quite possible that people would give property for those purposes.

1563. But I thought you complained that people were not able to give it for those purposes?—So I did; *non constat*, that they would, even if the trusts were legal.

1564. If they had the power of making these trusts, you would not object to their being under the same obligation as other trustees, I suppose?—I think that if there were trusts they should be under the same obligation as other trustees.

1565. Under public jurisdiction, to see that the trusts were fulfilled?—Yes.

1566. Mr. *Pemberton.*] I understood you to say, in answer to the honourable Member for Sussex, that you thought a trust for the benefit of old persons was not a charitable use?—No; a trust would be, but the mere fact of your choosing to give of your own accord, from your own money, 500 *l.* to old people, does not make a charitable trust; it is a charitable act to do, but it does not entitle that person, for instance, to the continuance of it. It is just simply this, that a person having a particular sum of money at his command, chooses to devote a part of that money to a particular purpose, which happens to be charitable; he is not obliged to do it again the next day or the next year.

1567. I understood you to say that a gift in support of old persons was not what the law calls a charitable use?—It is a charitable act, of course, to give money for the support of old persons; of course, I do not deny that.

1568. I am asking you, as a lawyer, whether a gift, to go towards the support of old persons, is not what the law calls a charitable use?—Of course it is, if you leave a sum of money by a will, or if you devise the interest of it, to be s employed; but if you go bodily, and give 100 for an object, you give it, and there is an end the thing.

1569. Is not that a charitable use, if you giv it for the benefit of old persons, for instance?— Yes, but in no way binding; it is simply a chari table act, done with the interest of certai money.

1570. But do I rightly understand you to sa that that is not a charitable use?—You are no bound to continue it.

1571. Of course, if I give one 100 *l.* I am no bound to give another?—Supposing, for instanc that you had the interest of 10,000 *l.*, and yo receive 300 *l.* from the dividends in the consols and you give 100 *l.* in a particular year to an hospital, that is a charitable act; you cannot however, say because a man does that, tha therefore there is a trust in any shape or way.

1572. A trust to do more, of course not; bu there is a trust to do that?—The thing is don and finished with.

1573. It is what the law calls a charitable use and it is a trust which will be executed by th particular person to whom it is given?—It is n trust, he may do what he likes with it.

1574. I will take a gift to four persons of particular parish or locality; it is what the law calls a charitable use, and a trust which a cour of equity will support?—If you give capital quite agree with you; but if you give a sum o money to dispense there is an end of it, just as you meet a poor man in the street, and give hi a shilling.

1575. To give to somebody else, I mean; put the case of a gift for the support of the poo in a particular parish?—I thought that you were alluding to the general application of the incom of this 10,000 *l.*

1576. Mine is the mere general question?— That is a different point.

1577. I think that you have, perhaps, misun derstood my questions from confusing them wit the subject-matter of the previous questions?— Very likely.

1578. In reference to this property held b the 10 colleges, the case was put to you that i had been held by two or three persons, tenant in common for some time as joint tenants, an ultimately the surviving joint tenant dies with out a will, leaving an infant heir; I think yo said it was your opinion that the property woul be the property of the infant heir?—I think generally, that it would in the circumstances i which these different properties are placed.

1579. Do you think if the estate of that hei was administered in the Court of Chancery, an it was proved to the Court of Chancery that th property had never been applied by the father o the infant for his own purposes, but that it ha for many years been applied to this particula purpose, the Court of Chancery would hold it t be the property of the infant heir?—How coul it be applied to the father if the father neve had it?

1580. If it were property held by many per sons, as joint tenants, and ultimately by the deatl of two or more, it survives to one only, and tha one dies, leaving an infant heir, what then?— You know it makes all the difference in this case that there would be no son, because the ma being a priest, a religious man, he could have n son.

1581. Mr. *Jessel.*] Why not have had a so previously

viously to profession?—He might have had viously.

582. Mr. *Pemberton.*] The last holder of this perty, we will say, dies, leaving an infant heir; Court of Chancery administers this property, inquires what property the deceased was en- ed to; do you mean to say that when the irt of Chancery found that this property had er been received by the deceased man, for his benefit, they would hold that it belonged to heir?—But you find, in many cases, that these sons have received the rent and the income, after they have received it, they have done tain things with it.

583. Mr. *Jessel.*] Mr. Pemberton puts the e of the trustees of the college where the pro- ty has always been used for the college itself? hat is a different thing.

584. Mr. *Pemberton.*] I refer to cases where as never been used by these persons, except joint tenants?—I cannot say what the law uld do in those cases; each case must depend itself; it would depend on the length of time, a thousand different things.

585. Take the case of a man who dies never ing spent the money for his own purposes, and ves an infant heir, who legally, but not equit- y, would be entitled to the property; do you nk that the Court of Chancery would find that t property was the property of the intestate son?—It would depend on length of time, and ariety of circumstances.

586. Mr. *Matthews.*] It would depend on ether the Court of Chancery was, in fact, sfied that a trust did exist?—Yes.

587. But, as I understand, the utmost pains taken to prevent any trust arising, precisely ause the trust would be illegal and would in- idate the deed?—Yes.

588. The Court of Chancery would, of course, any other court, give the property to the son to whom it belonged, unless he were stee for somebody else?—Of course, if the irt found that he was trustee for somebody he would not have it. The question is, ether there is sufficient evidence to establish rust; it depends on the particular circum- nces of each case.

589. Mr. *Jessel.*] The question of a trust is ependent of the legality of the trust?—Cer- nly.

590. Mr. *Matthews.*] But as a fact, the trust uld have to be established?—Yes; and that uld be the difficulty.

591. Do you know anything about this brief, which an honourable Member has referred?—, to tell you the honest truth, nothing at all.

592. Do you know whether it was a brief that s issued at the time that the ecclesiastical rarchy was being established in this country? No, I do not know that.

593. You are not aware that it has anything do with monastic institutions, at all events?—think, whatever the brief may be, it cannot ect the law of property in England.

594. Mr. *O'Reilly.*] You have been asked ether unlimited freedom of religious endow- nt, such as you suggest, would not lead to the cognition of Mormonism or Heathenism. Let call your attention to a return headed "Dis- nters' Places of Worship in England and Wales," places of meeting for religious worship in gland and Wales certified to the Registrar neral under the Act 15 & 16 Vict. c. 36, ted 18th May 1870, by which it appears that 0.92. there are 81 places for the Latter Day Saints or Mormons, so registered as Dissenters' places of worship in England and Wales. Do not you think that that amounts to something like a recognition of Mormonism in England and Wales?—I think it must if those places are authorised to be registered.

1595. Mr. *Sherlock.*] Assuming the legality of these monastic institutions, the common form in which the property which they derive benefit from is held, is by vesting this property as joint tenants, without any declaration of trust whatsoever. Do you now, as a lawyer, consider that it is as advisable a mode of holding property, to have an absence of any declaration, and that it is as beneficial to the parties who may consider themselves interested in the property, as if there were a declaration of trust in their favour?—No; I think that it would be much better as a general rule, except in extraordinary cases, that there should be a regular declaration of trust; but I observed to another honourable Member that it might happen that a declaration of trust would be very inconvenient; when, in point of fact, the object was not at all definite, but it was uncertain how it was wished to apply the money. In other cases where the object was definite and certain, I think it would be much better to have the property legally secured.

1596. In such a case, the trustees could not themselves personally, nor could their heirs, ever claim any beneficial interest in the property?—No.

1597. And in the absence of proof in the first-mentioned case that there was a trust, the heir-at-law might claim the property, and yet there might be no evidence to contradict that claim?—Certainly.

1598. In such a case there would be an injustice to the parties entitled to that property, would there not?—There would.

1599. You were asked by the honourable Member for North Warwickshire whether these monastic institutions did not recognise the principle of civil death, by the fact that a party entitled to an estate previous to his taking the vows or becoming a member of the community, assigns over the property to the next heir. I understood you to say that he reserved generally some property for himself?—A little annuity.

1600. But I presume that the reservation of any property would be rather inconsistent with the fact either of civil death or natural death?—I simply say that that is the rule and the custom, that a religious man, if he inherits any property, gives it up to the next heir, reserving something for himself if necessary; he might or might not reserve that.

1601. So that the actual doctrine principle of civil death, which would exclude him from reserving anything whatsoever, cannot apply at all to the case as it is in fact?—No.

1602. The legal right to assert any claim to property still continues?—Yes; according to the law of England.

1603. And that is inconsistent with civil death?—Yes; quite so.

1604. I also understood you to say that you did not know yourself anything of the regulations or laws under which the great Universities of Oxford and Cambridge now hold their property?—I really have not given my attention to that.

1605. And, therefore, you cannot say whether it is advisable to adopt those regulations with re-

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ference to Roman Catholic colleges?—No, I cannot.

1606. *Chairman.*] Did I rightly understand you to say that you had had some distinct communication with these monastic institutions, or those who represent them, before you appeared here?—Yes; I have advised during many years several religious men on their affairs.

1607. But have you had any special communication with them with a view to the evidence which you were to give before this Committee?—Certainly; otherwise I should not have given it at all; I have generally had direct communications with their solicitors, and where I thought that not sufficient I have seen several of the superiors of the orders myself, in order to satisfy my mind that what I was going to say was a correct and proper statement of the case.

1608. But with respect to the amount of property which they hold, you only know what has been told you?—How can I rely upon anything else?

1609. It is a personal communication that has been made to you with a view to a statement to be made before this Committee?—A confidential communication made to me through their solicitors generally, and in one or two cases I have seen the parties themselves; and all I can say is this, that I firmly believe that it is thoroughly truthful and accurate in all respects whatsoever, and that I am not aware of the least inaccuracy of any description.

1610. With respect to the amount of real and personal estate enjoyed by them, you believe that they have given you an accurate statement?—I have not the slightest doubt of it.

1611. Do not we rightly collect from you that there is no limit to the amount which they might hold both of real and personal estate, supposing that they were fortunate enough to receive it?—It is impossible to say what a man who will join a religious order may give to it; a man might happen to join who was very rich.

1612. But there is no limit that the law imposes, as far as I understand you, no restriction even of those restrictions which you complain of, that prevents their accumulating property?—The law does not allow these religious men, as such, to hold anything at all.

1613. But they hold a certain amount, and they might hold much more?—They may hold anything that belongs to them.

1614. And all that you know of what they possess is, what they actually show you an account of?—Yes, but I have not the slightest doubt in the world of the accuracy of that statement.

1615. But you did not receive any account from them, did you, of what is given or brought by persons when they first join the community, and which goes to the common fund, I suppose?—But this income of which I have been speaking arises from all those monies which are so brought; it is the result of them.

1616. Then do I rightly understand that that amount which you have stated is the result of all the property that is held by the 151 institutions?—Yes; you must remember this, that as a general rule eldest sons do not join these religious bodies, only younger sons. Of course their property is very much smaller than that of eldest sons; if they took the whole of their portion it would be very small, but as a general rule they do not take above half their portion with them; consequently there are no means to create any fund; they have nothing scarcely; very have anything, and those that have someth have not much.

1617. Did you see the different account these different institutions?—I had written st ments from their solicitors, or from the pa themselves in each case.

1618. I think, with respect to what would perly be called monastic institutions, you s that there are only 30 of such in this count —There are only 30 houses held as such; t are nothing like so many orders, of course, there are only 30 houses strictly held as con tual or monastic institutions, that is to say, t have not missions attached to them.

1619. But with respect to the personal real estate, it belongs to the 30 houses, doe not?—And to the 121 houses also.

1620. The 121 seem only to be parochial r dences, as far as I understand you?—Yes.

1621. Did you go into the income which th persons receive?—No, not what they rec from voluntary contribution, of course; I speaking of income from property, but I very well acquainted with the state of the aff of those gentlemen generally, and I can s say that, as a general rule, I am quite sure I correct in saying that they do not get m than a curate gets in the Established Church.

1622. With respect to the 121 parochial r dences where you say one man belonging religious order would live alone, or at most or three persons in the same house, what is th income derived from?—Simply from what th get in the church from bench rents and con butions in the country, and in other ways, other churches.

1623. But besides that income which you h mentioned of 10,000 *l.*, there is the land attac to the colleges (these 2,500 acres) which yi so much rent, I suppose?—They hold the l themselves generally; some of them may rec a little from it, but that is not taken into acco not being an item of any importance.

1624. That land goes to the support of th 30 houses?—No doubt they would have the of any little bit of ground, orchard, or anyth of the sort that belongs to the house.

1625. The persons living in these parish r dences do not derive anything from this comr fund, do they?—No, excepting where the c tributions of the congregation are so small t they require some assistance to live.

1626. Then some assistance is afforded th out of this common fund?—Yes, to those pa priests who have not sufficient money from th congregation to enable them to live.

1627. But are there some that serve churches and live in these institutions?—Y they are just like secular persons, except t they have some rules or regulations by wh they are bound; they are parish priests to intents and purposes.

1628. But we understand you clearly t there are about 30 places in this country t are properly called monasteries?—Not mo teries in the sense in which that word would understood; they are rather houses in which ligious men live, because a monastery mean place where men are shut in entirely.

1629. Most people, looking at the reference this Committee, would suppose that a mona institution meant a monastery according to the o nary acceptation of the term. I want to know w ther there are such places or not in this count —Th

-There may be one or two such places in Eng-nd, but I am not aware of above one or two, here, for instance, they cultivate ground, and hat sort of thing; those are very peculiar orders; ut as a general rule they are engaged in teaching.

1630. I am not asking you now how they employ heir time, but I am asking with reference to what called a monastery or monastic institution, whether there are buildings or places in this ountry where a number of men are collected to-ether employing their time variously, but realiz-ng the notion which people have of monasteries? -That is quite a delusion.

1631. Do you say that there are no such laces?—There may be one or two places of that escription, as I said before; for instance, the Trappists; everybody knows of them, and it is no ecret.

1632. The general notion is, and I think it has een stated in the House of Commons, that these nstitutions are numerous and are increasing, whereas, according to your account, they are few nd much fewer now than they used to be in ormer times?—Yes.

1633. I want to know where do these joint enants live, or who are these joint tenants that re selected to hold property, and whose failure n number, whenever it occurs, is always sup-lied?—In all probability some members of the rder would be selected.

1634. But where do the congregations dwell hat are maintained by these joint tenancies? -There is no congregation that benefits except, s I said before, when the new person applies the roperty in just the same way as the old person id.

1635. But I understand that what we call nonastic institutions are now represented in certain amount of parish residences, occupied by ne or two or three people; but at the same time here is property enjoyed by people belonging o religious orders, and this property is made afe by being conveyed to them as joint tenants. want to know where are these joint tenants ound?—They are members of the orders, of ourse.

1636. Do you mean that there are distinct rders whose members communicate, but do not well together?—These joint tenants are some f the gentlemen who form the community; not eople abroad, or anything of that kind.

1637. I want to know whether they do live in ommunity?—Some of them may live in a mis-ion; that is just as it happens.

1638. And they know each other, I suppose? -They will know each other as friends.

1639. Supposing that the property conveyed o three or four joint tenants was very valuable, ve learn that the trusts by which the conveyance s made are not specified?—No.

1640. But there are a certain number of people who look after the employment or administration f the proceeds of this estate, and who may bene-it by it, that is the community; they do not live ogether, but they have an understanding with ach other?—Yes.

1641. There are different orders of this kind? -Yes, some different orders.

1642. Is there any designation by which they an be distinguished?—The only thing you can ay is this: everyone knows that you see con-tantly S. J., and everyone knows what that neans; and that O. S. B. means the order of St. Benedict; and O. S. D., or the order of St. Dominic. Those letters are known to Roman Catholics just as R. N. is known to mean Royal Navy, or R. A. Royal Academy.

1643. That is to say, there are different orders, and these letters distinguish the persons belonging to each?—Nothing more than that.

1644. Do they sign their names with these initials?—Sometimes they might, and sometimes not.

1645. And are there times when all those belonging to one order assemble together?—I really am not able to tell you about that.

1646. Have these persons belonging to the same order, but living apart, any common purpose?—The only purposes would be those either of education or parish work. It is simply this: that the person who is for the time being the superior of the particular order imagines that a particular person's time and abilities may be best employed in teaching, for instance, the higher studies in such-and-such a place, or in teaching young ecclesiastics in another place, or that such-and-such a person will be better adapted for parish work; and the thing is managed just in the same way as the army is managed, when it is considered that such-and-such a regiment should go to one place, and such-and-such a regiment to another.

1647. Therefore, there is a superior?—There must always in every order be a head for the time being.

1648. There is a record kept by him of all those who belong to the order, I presume?—I do not know that.

1649. There is notice taken of what each member of the order is doing?—The superior knows that, but whether he keeps any written record I cannot tell you.

1650. Are these persons belonging to the religious orders in any relation to the bishop of the diocese?—No, I think not; I think that they act independently of the bishop; but, of course, subject to the bishop's wishes; for instance, supposing that the bishop considered that a particular person was objectionable for a particular parish, I have no doubt that he would be immediately removed to a different place.

1651. But if any difference arose with respect to the application of the property or the administration of it, would the bishop be referred to? —The bishop would have nothing to do with it.

1652. Would it be referred to Rome?—No.

1653. You say that it would not be referred to the bishop or to Rome, and it seems that our courts have nothing to do with it; how is such a case decided, then?—It is settled between themselves; there are no disputes; we never hear of any.

1654. Do they never differ?—Not in that shape.

1655. Supposing that the descendent of some benefactor considered that the trusts were not administered properly, or according to the wish of the donor, and he was to call for an account or to interfere, who would decide that matter, or to whom would it be referred?—But I do not think that there is such a case as a sum of money given by a benefactor and then held under a trust.

1656. Do I rightly understand that when a benefactor has made an assignment (absolutely, as you say) of the property to certain persons, no one has the power of interfering with them as to the way in which it is administered?—When we talk of a benefactor, one would imagine that it is some person out of the order, but the fact simply is, that these gentlemen holding themselves the property in their own right choose to

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permit that it shall be applied in a particular manner for their own purpose. It is not like other people out of the order giving money under a trust, that is a different case; it is more like a club agreeing together that their affairs shall be managed in such-and-such a way. It is very difficult for persons who are not Catholics to imagine the way in which these things are conducted; people run away with notions of immense wealth, which are quite absurd.

1657. But there have been cases in modern days which have been noticed in public, in which very wealthy Catholic proprietors, sometimes peers have died, and left large bequests, even in the way which you have pointed to, and left them absolutely to some friends, trusting to their not taking any benefit themselves from the property, but applying it to some religious purpose, contrary to law; now supposing that anybody knew what the intention was, for which that property was given, he could still get no redress, as I understand you, for any improper application of that property?—As regards the religious orders, I think it is exceedingly unusual for anything to be left in that way; of course, we know that there is a good deal of other property belonging to secular bodies, but the religious bodies are not fixed in one place.

1658. I am referring to evidence given here to the effect that property is really given to be held as the property of these orders, but that the state of our law has driven them to resort to these means of joint tenancies; and therefore as I presume that as many pious bequests are made in the Catholic community as in others, the case must occur of questions arising as to whether these legatees or assignees have applied the property as intended; all I collect from you is, that as the property is given to them absolutely, they must do as they think right with it?—All I can say is, that they do as they think right with it; and I do not know of such cases as you point to arising.

1659. But I understand you to say that you would rather that these trusts should be noticed by our own courts so that their administration should not be discretionary among certain persons; that, in fact, any legal impediment which now exists should be removed, and that they should come within the purview of our law?—I would say that for certain persons who now club together, and have a certain fund, and wish that it should be devoted to a certain definite purpose, and wish to register it in that way, it is a proper thing that they should be allowed to do so.

1660. But you are not satisfied with the manner in which property is left or given to these institutions at present, owing to the state of our law?—Many people would consider it much better that there should be registration in some of these cases.

1661. And do you believe that there would be registration, supposing that we removed those obstacles to the open declaration of trust which exist at present?—I have no doubt that there would be a great many declarations of trust. I cannot, of course, bind other persons, but speaking for myself, I think that a great many persons would register. There would be some that would feel their objects to be very uncertain; and from causes of that kind they might hesitate to register, but perhaps after a little time, they might do so. I cannot say as to that, however, because it is a serious thing to bind yourself to the application of money to a definite purpose.

1662. At present you consider, as I understand you, that there is some risk attending a declaration of trust, in consequence of the law affecting Catholic bequests?—There is this risk, that a person might die without any will, and some damage might possibly arise from it.

1663. Mr. *Newdegate.*] In objecting to the restraints upon religious orders, and especially the Jesuits, you said that when they had been expelled from various countries or restrained, that had been done by revolution?—It had either been preceded immediately or succeeded very soon by revolution.

1664. That it was an act of revolution, you said?—Of course I do not come here professing to be able to give you any information about foreign countries, with which probably you are much better acquainted than I am; but my general impression as to those secret societies is that they are enemies of all religions, just as much of yours as of ours; they are in fact infidels, and therefore they hate all religions, and their object is simply to destroy everything that is religious, and they combine together with a view to prevent religion flourishing in any country. And the next thing is to do away with the king, and then with your estates.

1665. You were speaking of the laws of this country in restraint of these regular orders, and you were asked by the Chairman if you had not heard of still stronger measures being adopted by foreign countries, and you said that that was always by revolutions; I wish to ask you whether you are aware that in the year 1773, Pope Clement the 14th suppressed the whole order of Jesuits?—I am.

1666. That was not the act of revolution?—They were not turned out of the country, their order was suppressed simply, and it was re-established afterwards, as if you go a little further on in history, you will find.

1667. Are you aware that, during the reign of the Emperor Alexander, the Jesuits were expelled from Russia by a ukase, dated the 13th of March 1820, when there was no revolution?—I am not at all surprised at anything that comes from the Emperor of Russia. But I say it is nothing to us what foreign countries do. If foreign countries act illiberally and do wrong, that is no reason why we in England should do it. The question is, what is right for us Englishmen: you Protestants have liberty; we are Englishmen as well as you, and we think that we ought to have a fair share of your rights and liberties. What they have done in other countries I pay no regard to; they do a great many bad things in other countries and some good ones; but the question is, what we in this country ought to do.

1668. I wished you to explain what you meant by restraint on these orders being the act of revolution?—I was thinking of such countries as Spain and Portugal. Kings have gone away, the religious orders have been banished, and church property has been stolen. But, however, as I said before, we expect something better from England than we do from countries abroad.

1669. As you refer to Spain and Portugal, are you aware that Spain and Portugal were enumerated in the brief of 1773, which suppressed the order of Jesuits?—I am not aware of that.

Tuesday, 21*st June* 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. Cogan.
Mr. George Gregory.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Mr. O'Reilly.
Sir John Ogilvy.
Mr. Pease.
Mr. Pemberton.
Mr. Sherlock.
Mr. John Gilbert Talbot.
Mr. Villiers.

THE RIGHT HON. CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. JAMES CUDDON, re-called; and further Examined.

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1670. *Chairman.*] I BELIEVE there is some matter on which you gave evidence last time on which you wished to offer some explanation to the Committee?—Yes. You expressed a wish that some information should be given to you as to the number of priests in the religious bodies. There is every desire to respond to the great courtesy of the Chairman, by giving him every information which he thinks would be at all serviceable in this inquiry. The Chairman particularly mentioned his desire to be informed as regards the number of the gentlemen who form these religious orders, but I was not prepared to give that information on the last occasion, first of all, because I did not know it exactly, and, secondly, because I had no authority to give it; but since Friday I have obtained the permission of my friends to satisfy the Chairman and the Committee on that point, and I will state the result. I cannot tell you, of course, to just one or two, beca use people are dying, and coming and going away; but a few days ago the exact number of priests of religious orders in Great Britain was 476; these are the gentlemen engaged in the 10 colleges to which I have referred as preceptors, and masters, and prefects, and in various occupations as rectors, and who are also engaged in the 121 parishes which I have referred to. I may also mention that the total number of young men who are preparing for orders in these religious bodies is 300, as nearly as possible.

1671. Mr. *Newdegate.*] Are these novices?—Not altogether novices, some are students; though the noviceship takes a long time; the whole number of those who are preparing for the priesthood is 300.

1672. *Chairman.*] That is not including the number of about 1,100 that you stated on the last occasion?—No; those are the sons of gentlemen in the higher classes and higher middle classes; these 300 are gentlemen, too, but they are young gentlemen, preparing for the Church, in point of fact.

1673. Mr. *Jessel.*] Is that the number studying for the regular priesthood?—For the regular priesthood; I am only giving evidence now as regards the religious orders, not as regards anything else. The total number of men called lay brothers, who in point of fact act as gentlemen's servants (the services that one of these lay brothers performs are those of a gentleman's servant), including such of them as are capable of teaching, and do teach in poor schools (for some of them are exceedingly well informed), is 200.

1674. They are, to a great extent, servants?—They are; they perform to a great extent the duties of servants, although we know that princes have entered as lay brothers, yet they have performed those duties. Then my attention was drawn I may say to this point; I stated that there were so many acres held with the colleges; but it happened that a great number of those acres are in one county, in which there is a customary measure, and the people there are in the habit of giving customary measure; and in order that the Committee may have really accurate information, and that I should be myself at no future period liable to be misunderstood in any way as giving any information that was not true, I desired specially to come to state to you that I find that if those acres were put into statute acres, there would be about 400 additional acres; the number I stated was 2,032 acres held with the colleges; to that you must add 400 acres; this extra 400 I think is all held by the colleges, but I am not quite sure.

1675. Mr. *Newdegate.*] Have you any objection to state which is the county in which the customary measure exists?—Lancashire. Then as I gave you last time the total income from personal estate, which I did not intend to do when I first came, but which I gave at the desire of the Chairman and another honourable Member of the Committee, I think it well to give you the rental of the 1,600 acres with all the houses and buildings upon them that I mentioned as belonging to religious men, but not held with the colleges. The total rental of those 1,600 acres with divers buildings upon them of various descriptions, is 3,400*l.* a year, so that in truth the entire sum per annum which is applicable for all the purposes which I mentioned the other day, and which I need not here repeat, would be 10,350*l.* per annum, and 3,400*l.* per annum. Of course, those funds would all go for the same purpose. That gives you the total income of every sort and description, excepting, of course,

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course, the voluntary contributions of missions, which have nothing whatever to do with the inquiry. I am very sorry to have given the Committee the trouble to hear these corrections, but I had no authority last time to give this information.

1676. Mr. *Sherlock.*] Do you desire to add anything further?—No.

1677. Mr. *Newdegate.*] You have alluded to the lay brothers; you do not include among them the members of such societies as that of St. Vincent de Paul?—By no means; I am speaking of persons who are attached and live in the houses as lay brothers, in point of fact; just as your valet, for instance.

1678. Mr. *Sherlock.*] The society of St. Vincent de Paul is not a society of the regular order?—The society of St. Vincent de Paul consists of a multitude of people all over the world who give their regular contributions to see after the poor. It is not confined to religious men; there are tens of thousands of that society.

1679. *Chairman.*] You confine your information to the monasteries?—To the religious orders of men; all the religious orders.

Mr. James Dewar, called in; and Examined.

Mr. *J. Dewar.*

1680. Mr. *Newdegate.*] I BELIEVE you were the late assessor of valuation of lands and heritages in the burgh of Perth?—I was.

1681. Do you know an institution on Kinnoull Hill, belonging, as you believe, to the Redemptorist order?—I do.

1682. Are you prepared to show the Committee the value of that house, and of the 18 acres of land therewith connected?—I am prepared to show the Committee the annual value, as assessed by the valuation appeal court; and I can also give a proximate estimate of the whole value of the house. The name of the property, as entered in the valuation roll, is St. Mary's Redemptory, Kinnoull Hill. First, "house," annual value, 300 *l.*; second, "grounds," 50 *l.* Those two sums were both reduced from the assessor's valuation by the appeal court; the one was reduced from 400 *l.* a year to 300 *l.*, and the other from 150 *l.* to 50 *l.* The proprietor's name entered in the roll is "The Rev. Robert Austin Coffin and others, St. Mary's, 8, Clapham Park-road, Surrey, London, S."

1683. Have you seen the feu contract?—I am not aware that I have seen the principal copy of the feu contract; I do not know that I felt it necessary to see that paper in order to ascertain the value; but I have seen papers connected with the institution.

1684. With regard to the value you have supplied, it was your duty to attend to that when assessor for the burgh?—Yes.

1685. Have you seen a document in which it is said that this property is held in trust "for the members of the order of the Holy Redeemer in Scotland"?—I have seen such a paper.

1686. Can you produce that paper?—I am not able; I am afraid I could not get possession of it so as to produce it; I should feel it to be a breach of confidence if I did.

1687. Will you inquire, and supply it to the Committee if you are able to do so?—I shall be very happy if I can obtain it.

1688. Do you know the date of the contract between Lord Kinnoull on the one part, and certain priests on the other?—I am not sure of the date of the contract; the first entry in the roll was last August.

1689. What did that entry say?—The first entry in the roll for building went from Whit-Sunday 1869 to Whit-Sunday 1870; there had been an entry for ground in previous years; unoccupied ground.

1690. When was the building erected?—It was only completed so as to be taken into the last year's roll; it was going on in process of building for about two years, I think. The moment the property was acquired we put it in the roll, and entered the ground as unoccupied, such of it as was not occupied; and after the building was finished it was entered in the roll from Whit-Sunday 1869 to Whit-Sunday 1870, as occupied.

1691. You have mentioned the name of the Rev. Mr. Coffin: is he one of the contracting parties?—His name is in the paper that I saw.

1692. Is he supposed to be the local superior of the order?—He is supposed to be the superior of the order; but I understand that Mr. Vaughan is the superior of the institution.

1693. Then, Mr. Vaughan is the local superior?—Yes.

1694. Is he the Rev. Mr. Vaughan?—Yes, he is the Rev. Mr. Vaughan. He is described in the paper which I saw as "Clerk," along with the other clergymen.

1695. His name appears in the Roman Catholic Directory, at page 246, I think?—I am not able to answer that question.

1696. What was the document in which you saw his name; was it the document to which you before referred?—It was in some of the papers connected with the property.

1697. But to produce those papers, you require the permission of others?—Before I could make public use of them. I had access to them for my own purpose as assessor; but I am not aware that I have got access to them for any public use.

1698. That is one of the papers which you said you would ask permission to supply?—That is.

1699. Is there a power on the part of these owners to feu and to erect buildings?—There is, I believe.

1700. Can you produce the lithographed circular, dated the 24th July 1860, showing that the house is used as a retreat?—I am not able to produce a lithographed circular, but I can produce an attested copy, a true copy (*producing it*).

1701. Will you read that?—"St. Mary's, Kinnoull, Perth, 24th July 1869.—Dear Sir, I have the pleasure to inform you that we are now ready to receive into our house, for the spiritual exercises, any gentleman who may desire to make a few days' retreat; as, however, a public retreat, in which the meditations and instructions would be given aloud by one of the fathers of the community, would be to many more profitable or more easy than a private retreat, we propose to offer this advantage to those of the laity who may prefer to avail themselves of it. A public retreat for gentlemen will commence on Saturday,

day, 7th August, at 7.30 p.m., and will close on the morning of Wednesday the 11th. We shall be happy to receive you, if you desire on that occasion to make a retreat; should this be your intention, I would request you to give me notice to that effect, not later than Tuesday the 3rd, in order that I may reserve a room for you.—I remain, dear Sir, yours most respectfully in Christ, *Edmund Vaughan*, C.S.S.R., Superior."

1702. Have you seen the original of that?—I have possession of the original of that.

1703. And in that document are the members of this institution described as a community?—I think they are; it says, "We are now ready to receive into our house, for the spiritual exercises, any gentleman who may desire to make a few days' retreat." Then the next thing is, "As, however, a public retreat in which the meditations and instructions would be given aloud by one of the fathers of the 'community,' would be to many more profitable, or more easy, than a private retreat, we propose to offer this advantage."

1704. I believe that you reside in the immediate neighbourhood of this institution?—I reside on the opposite side of the river from it.

1705. Have you seen any considerable number of the members of this community together?—I have frequently seen considerable numbers apparently of clergymen in the grounds.

1706. In a peculiar dress?—Sometimes in a peculiar dress.

1707. Not outside their own premises?—No; within their own grounds.

1708. How many have you seen together in the premises?—I could not say any number very specifically; but I should think that I have seen 10 or 12 at a time oftener than once.

1709. What was the kind of dress they wore?—Well, I think a peculiar cap and a gown; something of that sort.

1710. What was the colour?—Black, I think; I never paid much attention to that, not expecting ever to be asked any questions about it.

1711. But you did observe that these 10 or 12 whom you saw together within the boundaries of this property to which you allude were dressed in a gown and cap, and you think that the colour was black?—Certainly.

1712. It is understood, is it not, that this institution has had an accession of property, particularly from an officer of the army?—I am only able to speak about that from what I hear in public; but I have in a newspaper a statement upon the subject.

1713. What is the date of that newspaper?—May the 25th of this year.

1714. That is subsequent to your having ceased to be assessor?—Yes.

1715. Therefore the valuation which you give does not include the property to which that report refers?—It does not.

1716. Is this fact generally reported?—I have frequently heard it; and in that newspaper there is a story given, professedly upon the authority of a Catholic clergyman, as to where the money came from.

1717. I will only ask you this: it is generally believed that there has been an accession of property to that institution?—It is.

1718. Do you know anything of the character of this building, for you live in the immediate neighbourhood you say; is it a handsome building?—It is very much so indeed.

1719. How many storeys has it?—I suppose there are four or five storeys altogether; about four, I should think, from recollection.

1720. Do you know anything of the interior arrangements; did you see anything of the progress of the works during the erection?—I was through the house once or twice before it was opened, and I just have a general idea, but I have never been in it since.

1721. Will you give a description of what you saw?—That I have got in a newspaper.

1722. You say that you have an account in a newspaper; does that tally with what you saw yourself?—It does. All I can say is that it is a very handsome house, and that I have seen large rooms on the ground floor, the principal floor; I do not know for what purpose; some of them for dining, and other rooms for exercise; various purposes, I believe; and upstairs there are two galleries, I think, of what they call technically cells.

1723. What are they, small rooms opening into a gallery?—Yes, bed rooms; I have seen those; there are 22, I think, of them.

1724. *Chairman.*] They are upstairs, not underground?—They are not underground.

1725. Mr. *Newdegate.*] Did you go into the basement storey while it was building?—I have been there; I was through the whole house while it was building.

1726. Is the basement storey vaulted or arched?—I could not pretend to recollect that.

1727. There is an underground storey?—There is a very large underground storey, containing kitchens and other apartments usual in those places, such as sculleries, &c.

1728. Is there any small apartment in the basement storey?—I could not say that, for I do not think the place was sufficiently far advanced in building, when I was there, to be able to know that.

1729. The small rooms you saw are on the upper storey?—On the upper flats.

1730. Have you a copy of the valuation roll showing entry of proprietor in trust, and the yearly value?—The annual value I have already stated.

1731. Now there is another institution, which is a convent for females also, in Perth, with which you became acquainted, for the purposes of valuation, when assessor, is there not?—Yes.

1732. What is the name of that?—St. Joseph's convent.

1733. Is that so entered in your return?—It is so entered in the roll; situated in Stormont-street.

1734. Can you produce a copy of the valuation roll showing the entry of the proprietors in trust, and the yearly value of that institution?—I have that here.

1735. Will you read it?—The description of the property, is "St. Joseph's convent, situated at No. 8, Stormont-street, Perth;" under "proprietor" is entered "the trustees of the Catholic congregation, per Matthew Lynch, 56, Meal Vennel."

1736. Where is Meal Vennel?—In Perth. And the occupier is entered as Miss Elizabeth Langdale, the superior; I think she is the honourable Miss Elizabeth Langdale.

1737. What is the entry?—Just "Elizabeth Langdale."

1738. The date is what?—"For the year from Whit-Sunday 1869 to Whit-Sunday 1870," and the

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the annual value is 72 *l.*; and the return for this year I saw also, and it is the same.

1739. Do you know what was the price of that house; you had to ascertain it in your assessment, I presume?—Yes; it cost upwards of 1,800 *l.* It was a house and garden.

1740. That was the cost of the building only?—That was the cost of the house. It was a house that they bought; the house cost the gentleman who built it I believe upwards of 2,000 *l.*; they occupied it as tenants for some years, and ultimately bought it themselves, and gave upwards of 1,800 *l.* for the house and grounds.

1741. Do you know the number of inmates?—Not certainly; I believe there are eight or nine ladies.

1742. There are other properties belonging to the Roman Catholic Church in Perth besides those you have named, are there not?—There are.

1743. What are the names of the trustees?—I do not know the names of the trustees; Mr. Lynch, the same gentleman whose name I have already mentioned, is the representative of them.

1744. The same gentleman is entered as proprietor?—Yes; the entry is, "the trustees of the Catholic congregation, per Matthew Lynch, 56, Meal Vennel."

1745. This appears to be all part of the same trust?—The convent, the chapel, the parsonage, and the schools have been represented to me as being precisely the same trust, but quite different from the other house at Kinnoull.

1746. There is nothing in the roll to contradict that, is there?—No, nothing.

1747. Can you give the value of these separate buildings?—I am not able to do that.

1748. I have forgotten to ask one question; is this redemptorist institution of which you first spoke known by any distinctive name since its erection?—It is called popularly and variously, I believe, sometimes St. Mary's and also the Redemptory. What the meaning of that term "Redemptory" may be I do not know, but that is a name by which it is very commonly known.

1749. That is the ordinary description of it?—That is the ordinary description of it.

1750. I believe that that establishment was opened by a ceremony?—The chapel was; a religious service.

1751. Mr. *Sherlock.*] Were you present at this service?—I was not present at it.

1752. Mr. *Newdegate.*] Were you in Perth, on the 31st of May 1870, when this service took place?—I think it was on Tuesday, the 24th, that it was opened.

1753. Were you there at the time?—I was outside the house; I was not in the chapel.

1754. You were outside, and were aware that there was a ceremony going on?—I was quite aware of the fact, and I had relatives and friends of my own in, during the service, and I was waiting for them to come out.

1755. Then you were literally on the premises?—I was not within the grounds; I was on the public road outside the grounds.

1756. But you were waiting for some of your relatives who were attending the ceremony?—I was; and I can have no doubt whatever about the ceremony having been performed, because over and above I have a lithograph circular inviting priests to be there.

1757. Will you read that circular?—The circular is dated 17th May 1870. "Reverend dear Sir,—The Redemptorist Fathers have the pleasure to announce to you their intention of opening on Tuesday, the 24th instant, the little church which they have erected in honor of Our Lady of Perpetual Succour, adjoining their house at Kinnoull. They will be happy to be favoured by the presence of your reverence on that occasion. The solemn mass which the very Reverend Dr. M'Pherson, V.G., has been invited to sing, will begin at 11.30. Complin and benediction at 4.30 p.m. I should be very grateful if you would kindly acquaint me with your intention to come; and I beg you to be so good as to bring cassock, surplice, and biretta. I remain, dear Reverend Sir, your most devoted servant in Christ, *Edmund Vaughan*, C.S.S.R."

1758. That is the person who is supposed to be the superior of the establishment?—Yes.

1759. Did you ever hear of a Reverend Dr. Smith, of Oakley?—Yes; he preached at the opening of the chapel.

1760. You were not present?—I was not present, but I am aware personally that he did.

1761. Your friends when they came out stated that he preached, did they not?—They stated that he did preach.

1762. Is there any copy of this sermon that can be verified?—It has appeared simultaneously in all the local newspapers, and, apparently, verbatim. I have one report before me in a Dundee newspaper, and it appeared, I believe, in three Perth newspapers; in two I know.

1763. Do you think you can produce evidence to prove the authenticity of this sermon, and furnish it to the Committee?—I fancy the reporter would be able to prove that, but I am not myself able to do so.

1764. Do you think that from the editors of these newspapers you could ascertain the authenticity of the notes from which this report of the sermon was printed?—I have no doubt whatever that I can, if the Committee wish it.

1765. And you will furnish that, and a copy of the sermon to this Committee if desired?—I will be very happy to have the copy, which is here, authenticated; I think I can get that done.

1766. *Chairman.*] You only have become acquainted with the facts that you have stated from the accident of your being the valuator or public officer that assess the parishes?—Yes; in the first instance from having to learn all about the value of the property.

1767. It is only from valuing this property in particular that you have become acquainted with its purposes?—No; I did not become acquainted with its purpose from valuing it, for in that capacity I had nothing to do with its purpose.

1768. It was accidentally, in valuing the property with a view to assessment, that you became acquainted with the purpose of the institution?—I saw some items of my information incidentally while acting as assessor.

1769. You assessed that, as you would assess any other property, without asking any other questions beyond those that would lead you to a correct impression of the value?—Yes.

1770. It is notorious then, is it not, that both these institutions are for religious purposes?—Yes, quite.

1771. The one is a monastery and the other is a convent?—The one was returned to the assessor as a convent by those acting for the owners; the other was returned as a house and grounds, but not any name given to it.

1772. But

1772. But no objection was ever taken to that institution, that you are aware of, in your neighbourhood, because it was a monastery?—No, I am not aware of any. I never entered it as a monastery, because I am not quite sure that I know what a monastery is.

1773. But in the discharge of your duty you tried to ascertain who was the occupier and the owner?—I was quite entitled, in fact bound, to do that, and the result is here in the valuation roll.

1774. In making those inquiries, you became possessed of the information which you have given to the Committee?—Not the whole of it; but all the official part of it I have become possessed of in that way.

1775. You found somebody there who was avowedly the owner, and you discovered who was the responsible occupant?—Yes.

1776. In making your assessment, to whom do you apply in Scotland for the rates?—In this case to Mr. Vaughan for the rates.

1777. Your assessment is with a view to parochial rates?—Yes.

1778. To whom do you apply usually for rates; to the owner or occupier, or to both?—It depends upon whether the owner or the occupier is jointly liable or otherwise; but in this case the same party is liable for both tenant's and owner's rates, and Mr. Vaughan pays the whole, I believe.

1779. In some properties of a certain value, the owner and the occupier are jointly liable?—Yes.

1780. Was this property of such a nature that the owner alone was liable?—Yes.

1781. And you look to the superior?—We have no tenant given for this property. We have the proprietor given, represented by Mr. Vaughan, and we have the occupier also; so that the occupier is the same as the proprietor, and the proprietor is given as "Mr. Coffin, and others."

1782. Then, Mr. Vaughan appears to represent both occupier and owner?—Yes.

1783. And you rate him accordingly?—Yes.

1784. And is it the same with the other institution which you described; does the superior there, Miss Langdale, pay the rates?—No; I believe Mr. Lynch pays all the rates in the case of the convent. Miss Langdale is only the occupier, and is not called upon, I believe, for rates.

1785. In the entry or return made to you, does Mr. Lynch appear to be the person liable for the rates?—Yes, he represents the trustees, as their factor, I suppose.

1786. Do you estimate that property according to the usual principles upon which you determine value?—Quite so. In the case of the convent, the yearly value was fixed by the sum that they paid while tenants themselves to another proprietor.

1787. You take rent as evidence of the rateble value?—Yes; we continued that after they acquired the property themselves; they appealed last year to have it taken down from 72 *l.* to 60*l.*, but the appeal was refused.

1788. You do not refer at all to the occupation of the inmates, or to the proceeds arising from their duties?—Not at all.

1789. You look upon them precisely as other owners and occupiers?—Precisely as other owners and occupiers, and citizens.

1790. You do not, from being in that neighbourhood, ever hear any objections to these institutions, do you?—No, I cannot say that I do.

1791. People do not point to them, or at least to the institution occupied by them, as belonging to an order that is illegal?—It certainly is looked upon as being an institution for religious purposes, for persons connected with the Church of Rome; but I am not aware that any prejudice attaches to it on that account.

1792. But you do not hear anybody complain that the institutions are illegal; that they are not sanctioned by law?—No, I cannot say that I have heard that.

1793. Are you aware of the manner in which the men live there, or what duties they perform. Do they attend schools, or attend hospitals, or do you know exactly what their occupations are?—No; I do not know anything more than what I see in Doctor Smith's sermon, and in those circulars.

1794. You spoke of the property being held between the trustees; had you anthing to do with those trustees?—Nothing.

1795. How did you become acquainted with the fact of there being trustees independent of the person whom you rated for the property?—It was my business to inquire who the owners of this property were, and who were to be liable for it, and I found on making inquiry that some half-dozen gentlemen were said to hold the property in trust for another community, and I just took the name of the responsible person, that of the gentleman who gave me the return himself.

1796. You were satisfied with knowing who were the responsible owners?—Yes.

1797. But you heard that Mr. Vaughan was not actually the owner, but was only living there as a person placed there by the trustees?—I understood so.

1798. Do you know how long the trustees have held that property?—Not more than three years.

1799. Are they gentlemen of the neighbourhood?—No, I think they are most of them clergymen living at a distance.

1800. I think you described them as living at Clapham?—Mr. Coffin lives in London, and Mr. Vaughan resides on the property.

1801. Did Mr. Vaughan come from London?—I do not know where he came from.

1802. The trustees then live in London, and the person that they placed there as the owner or occupier of the property comes from London, does he not?—I cannot tell where he comes from. Mr. Vaughan gives in the return to the assessor, as being the responsible party for the rates, and we are quite satisfied with his name.

1803. But as far as you know, the trustees and Mr. Vaughan are strangers to the district?—Yes, they are strangers to the district.

1804. Was there ever an institution of that kind before in the district?—Never, as far as I know.

1805. About three years ago the building commenced, as I understand?—Yes, speaking from recollection, I should say so.

1806. Did they build it from the ground, or did they buy some mansion?—No, they feud the ground, and built it from the foundation.

1807. They took the ground from Lord Kinnoull?—They took the ground from Lord Kinnoull.

1808. On a lease?—They took it on a perpetual feu, for an annual payment of 128 *l.* 16 *s* 6 *d.*; it is their property, I understand, so long as they

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pay the feu, but if they do not pay the feu the property becomes irritated, and goes to the superior.

1809. Did they pay nothing originally?—I do not think that any grassum, any capital sum, was paid, to begin with, but the payment was commuted into an annual payment of 128 *l.* 16 *s.* 6 *d.*, and that is more than the arable value of the ground.

1810. Then as long as they pay that yearly amount the owner has no right to re-enter?—No, none whatever; there are 18 acres, and some odd parts of an acre altogether.

1811. Is that let off?—No, all occupied by themselves.

1812. In what way?—The house occupies a considerable portion; then there are grounds, very pleasant grounds, laid out, and I think there is a kitchen garden behind.

1813. Do the inmates cultivate the ground themselves?—No, they have had gardeners laying it out; probably they may keep it up themselves, but I do not know.

1814. I mean, is it ground only for the purpose of the institution?—Only for that.

1815. Do the poor resort to it for any purpose?—Not as yet, so far as I know.

1816. No alms are given from that house?—Not that I know of.

1817. And you do not know that any objection is taken in the neighbourhood to the institution?—No objection, that I ever heard of. There is just the prejudice which you might expect in a Protestant community to a new Catholic institution of this kind; nothing else.

1818. No demonstration against it?—Certainly not; they are always treated with the utmost respect by every gentleman and lady, so far as I ever heard.

1819. Is that state of things resulting from any change lately?—I cannot say; I understand that Dr. Smith gave the community of Perth great praise for the courtesy which they have shown.

1820. Mr. *Jessel.*] Do you know whether these gentlemen do anything; whether they are occupied either in preaching or in parish work, or teaching, or anything of that kind?—I know nothing whatever of them beyond what Dr. Smith mentions in his sermon.

1821. Now about the ladies in the convent; do they do anything?—I think half of them are employed in teaching, or otherwise employed in the penitentiary, statedly.

1822. Do you mean alternately?—I do not know that, but three or four of them alternately go there regularly every day, and the others are employed in teaching a juvenile school in the middle of the town.

1823. They are all usefully employed, in fact?—Yes, those ladies are all employed, I think.

1824. *Chairman.*] I think you said that you saw about 12 or 13 gentlemen in a peculiar dress?—I should not like to condescend very exactly upon the number, but I should think that there must have been at least 10 or 12, oftener than once.

1825. But they never leave the grounds in that dress?—No; I never saw them out of the grounds in that dress.

1826. Mr. *Matthews.*] I do not know whether you have read through any deed relating to this?—No, I have not read through any deed; I necessarily had access to deeds.

1827. Did you know anything more of the contents of the deed than that there were certain persons named as the owners of the property?—What I saw was, that half a dozen or more of those clerical gentlemen were named as holders of the property in trust for a religious order.

1828. Did you read the terms of the trust there?—No; I never read a single thing in such matters, excepting what I was obliged to read.

1829. Mr. *Sherlock.*] You are not officially engaged now in assessing?—Not now.

1830. Have you any reason to suppose that there has been any accession of property to this institution since you have ceased to be officially connected with the assessment?—Yes, there has been a very elegant chapel built since, and it was opened in May last.

1831. Do you know the present official valuation?—It is the same as that of last year; the roll is not made up for this year yet; but I think that Mr. Vaughan's return is the same as last year.

1832. The house is valued at 300 *l.* a year?—Yes; I put it in at 400 *l.* last year, but the appeal court reduced it to 300 *l.*

1833. We may take it that the value, as decided by the authorities, is 300 *l.* for the house, and 50 *l.* for the grounds?—Yes.

1834. Subject to how much rent payable to Lord Kinnoull?—£. 128. 16. 6., the feu duty.

1835. So that to ascertain the exact value to the occupiers, you must deduct, of course, the feu duty from the valuation?—That is between themselves; I do not know about that; they have to pay that money, of course, every year: but to that 300 *l.* will fall to be added the annual value of the chapel, whatever it may be.

1836. Are the public admitted to that chapel?—Yes, admitted and invited, I think.

1837. That is for the accommodation of the Roman Catholic congregation in the neighbourhood, I suppose?—No; the Roman Catholic congregation are provided for otherwise in their own chapel in town; but the little chapel in Kinnoull is open to all and sundry.

1838. Do you mean that gentlemen not professing the Roman Catholic religion are there?—It has only been a week or two open, but I have no doubt that many will step in to see it; it only holds 200 people altogether.

1839. It is open to the public?—Yes.

1840. Have you been in it?—The Saturday before it was opened I was in it; I have not been in it since.

1841. Mr. *Matthews.*] On what principle do you value chapels?—The principle on which I valued chapels in Perth was 3 *s.* per sitting for a good substantially built house, because that is about the annual value of the capital necessary for building a plain church; but older churches we let off at a smaller figure, probably 1 *s.* 6 *d.* a sitting. This little chapel on Kinnoull Hill only holds 200 chairs, and I do not think that it can be valued for more than 200 sittings, like other churches. The Roman Catholic chapel in Melville-street is valued the same as every other church in the place, according to the number of sittings in it.

1842. *Chairman.*] That chapel has existed for some time past, has it not?—Yes, many years.

1843. What is the ministry there; are there parish priests living in Perth that attend it?—Yes.

1844. And the congregation there attends it, and does not go to this new church?—The new church would not be suitable for that congregation;

ion; it is out of the way, and they have a large congregation in Melville-street.

1845. Partly from being a considerable distance, nd partly for other reasons, you say that there s no communication between this new establishnent and the old church?—I do not think there s; there has not been any time for that, for one hing.

1846. Are the Catholics there, Scotch or Irish? —Mostly Irish, so far as my opinion and knowledge go.

1847. So far as you know the new institution, hey are not Irish then?—The use of the chapel I understand is confined to the inmates of the house, and it is open to the public so far as available otherwise.

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1848. But did they come from England?—I cannot tell where they came from.

1849. Mr. *Newdegate.*] According to your evidence, it is about four months since this institution was formally opened; how long is it since this institution was occupied?—It is more than a twelvemonth; at least a twelvemonth.

1850. It was on the 24th of May, I think, that it was formally opened?—That was the chapel in connection with the house; the house itself was opened a year ago and more.

Mr. John Macmillan Robertson, called in; and Examined.

1851. Mr. *Newdegate.*] I believe that you are a Solicitor in Glasgow?—I am.

1852. Can you produce extracts from the burgh registers of Lanark showing holders of property, those holders being the Vincentian Fathers at Lanark, and the Sisters of Charity of St. Vincent de Paul?—I have extracts here for both what is occupied by the Vincentian Fathers and also by the Sisters of Charity. The titles to all the properties there occupied by these parties are in precisely the same terms.

1853. Will you read the terms?—I read from the Disposition of Smyllum Park (which is the name of one of these properties), recorded on 12th November 1864. By that deed the property is disponed to the "Right Reverend Doctor John Murdoch, Vicar Apostolic of the Western District of Scotland, the Very Reverend Thomas M'Namara, of St. Vincent's, Castleknock, in Ireland, Visitor of the Irish Province of the Congregation of the Mission, and Robert Monteith, Esquire, of Carstairs, in the county of Lanark, and to the successors in office respectively of the said Right Reverend Doctor John Murdoch, as Vicar Apostolic of the Western District of Scotland, and of the said Very Reverend Thomas M'Namara, as Visitor of the said Irish Province of the congregation aforesaid, and the heirs or legal representatives of the said Robert Monteith, in the room and place of the said parties herein named on the failure of such parties respectively; but that in trust always for the uses and purposes, and under the conditions and declarations, specified and set forth in an agreement relative to the establishment at Lanark, of a community of the said congregation of the mission, entered into between the said Robert Monteith on the one part, and the Very Reverend Philip Dawley, then of Castleknock aforesaid, and Visitor of the said Irish Province of the Congregation of the Mission, on the other part, with the approval of the said Right Reverend Doctor John Murdoch, dated the 13th and 14th days of January, and the 16th day of February, all in the year 1860."

1854. Is that a true copy?—It is a true copy of the disposition under which the property was acquired.

1855. And as registered?—Yes, as registered.

1856. Can you state the extent of the property?—It is fully 100 acres; about 113 acres.

1857. Can you state the money paid for the property?—Yes; the deed bears that it is 8,000*l.*

1858. Now is this property held for the Vincentian Fathers and for the Sisters of Charity, under the same trust?—The estate of Smyllum Park is now occupied by the Sisters of Charity alone; the property occupied by the Vincentian Fathers is near to it, but stands on separate titles conceived in the very same terms.

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1859. Are there two titles?—There are more than two, because the property was acquired at different times; they have been going on gradually purchasing piece by piece, as it was found to suit. The deed from which I have just read is the title to the largest portion.

1860. Have you got that which relates to the other portion?—Yes; the first entry on the register is under date 19th December 1860, and relates to the subjects on which the chapel and schools are erected, the title to which is taken to the Right Reverend Doctor John Murdoch, Vicar Apostolic of the Western District of Scotland; the Very Reverend Philip Dowley, of St. Vincent, Castleknock in Ireland, Visitor of the Irish Province of the Congregation of the Mission; and Robert Monteith, Esquire, of Carstairs, in the county of Lanark, the trust purposes being the same as in the deed I have just read. Then upon the same day there were registered two other deeds applicable to ground adjoining, in favour of the same parties, and also upon the same terms of trust.

1861. Mr. *Matthews.*] Will you read those?—The one is to "The Right Reverend Doctor John Murdoch, Vicar Apostolic of the Western District of Scotland, the Very Reverend Philip Dowley, of St. Vincent, Castleknock, in Ireland, Visitor of the Irish Province of the Congregation of the Mission, and Robert Monteith, Esq."; and the other is to the same persons for another piece of ground acquired in the same way, also adjoining, and upon the same terms of trust.

1862. What are the terms of trust of the second?—The terms of trust are identical with what I have read from the Smyllum Park title; I compared them all, and found them to correspond.

1863. Mr. *Newdegate.*] What you have given is the cost of the property, the site of the building?—Of Smyllum Park only, and that does not include some other properties adjoining to Smyllum Park, which they have since purchased, and now hold upon the same terms of trust.

1864. Can you give the cost of the building, or an approximation to it?—The cost of the chapel and schools, and of an hospital adjoining, will not be less than 18,000*l.*, including also a residence to the fathers.

1865. I think this is commonly known as the Smyllum Institution?—The place occupied by the Sisters of Charity is known by that name.

1866. I think that that is described in the Roman Catholic Directory, at page 134?—Yes, it is.

1867. Will you read the extract referring to it?—

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it?—It begins at page 132, and extends over 133 and part of 134.

1868. You believe that to be a correct description?—I have no doubt of it.

1869. And is there any mention there of prayers for the dead?—There is.

1870. Will you read it?—At page 134 I read as follows: "The holy sacrifice of the Mass is offered once every fortnight for the members, living and dead, and their subscribers. Each member recites a pater and ave daily for the same pious intention; and after the death of each member three Masses will be celebrated, and the orphans will recite the Rosary of the Blessed Virgin each day for one week, for her eternal repose."

1871. That is understood to identify this as a Roman Catholic institution, is it not?—Yes; this same account from which I have read concludes as follows: "Ladies wishing to join the association will please apply to the Sister Superioress, St. Mary's Orphanage, Lanark, to whom all communications connected with the association are to be directed." The terms upon which children are received are also stated.

1872. Can you produce the form of bequest to the orphanage, as appearing in the fifth annual report?—Yes; I hold in my hand the fifth annual report of "St. Mary's Catholic Male and Female Orphanage, with a statement of accounts, list of subscribers, donations, &c."

1873. What is the form of bequest?—The form of bequest is in these words: "I [ ], give and bequeath the sum of [ ], (sum in words) sterling, to the Superioress, for the time being, of the Roman Catholic Orphanage, situate at Smyllum, Lanark, upon trust to apply the same, and every part thereof, for the uses and purposes of the said institution; and I direct that the receipt of such Superioress shall be a sufficient discharge for this bequest."

1874. That is considered an instruction to those who intend to contribute to that institution?—Yes; it is so put; it is headed "Form of bequest."

1875. What is the date of that report?—The year to which the report applies is from the 22nd of August 1868 to the 22nd of August 1869.

1876. Who published that report?—If you mean the person who printed it, it bears to have been printed at Lanark, by "Robert Wood, 97, High-street, 1869."

1877. It is a report of this institution, is it not?—It is.

1878. How is it styled on the title-page?—"Fifth Annual Report of St. Mary's Catholic Male and Female Orphanage, Smyllum, Lanark, under the care of the Sisters of Charity, 1869."

1879. Can you produce an extract from the valuation rolls of the burgh and county of Lanark, so far as they relate to the property in Lanark?—Yes, I have that here. In the valuation roll of the county of Lanark, for the year 1869–70, the Sisters of Charity are entered as the proprietors, and also as occupiers of the mansion-house of Smyllum Park; and it is stated there, at a rental of 70 *l.* The old mansion-house has been converted into an orphanage. Then the "land and policies" (that is, pleasure grounds) are entered at 109 *l.* Then there is a house let to a Thomas Paterson, at 10 *l.*

1880. Is that separate?—That is separate. It is part of the ground acquired under this 8,000 *l.* purchase, and it is let off to a Thomas Paterson, by the Sisters of Charity, for 10 *l.* Then there are two houses also let off, but as they are under 4 *l.*, the names of the tenants are not given; the annual rental of the two is 5 *l.* And there is another house let to John Weir, at 4 *l.* 5 *s.* There is another piece of land, also occupied by the Sisters of Charity, but of which "the trustees of the Roman Catholic congregation" are entered as the proprietor, of the value of 18 *l.* These are the entries in the roll for the county of Lanark; but then the other properties upon which the chapel and the hospital and the residence of the fathers are entered, are in the burgh of Lanark.

1881. What are your extracts in respect to them?—The hospital is entered as belonging to the "Trustee of the Roman Catholic congregation, per Sisters of Charity, Smyllum, Lanark," of the annual value of 34 *l.*, and the Sisters of Charity are entered as the tenants of it.

1882. Are the names of the trustees there given?—The names of the trustees are not given in the valuation roll; there is a small house adjoining entered as belonging to the same proprietors, and is in the same occupation, and stated to be of the value of 2 *l.*; besides these there are several houses, also adjoining the chapel, all of which are entered as belonging to the Roman Catholic congregation, with the words "per Rev. M. Mullen, Lanark," added. Of these one is empty, of the value of 10 *l.*; another is occupied by the Rev. M. Mullen, at 22 *l.*; another is occupied by the Roman Catholic school teacher, of the value of 22 *l.* 10 *s.*; James Langhan, a gardener, occupies one of the value of 2 *l.*; the Sisters of Charity occupy one of the value of 2 *l.*; another, which is empty, is of the value of 1 *l.* 10 *s.*; then there are two schools occupied by the Roman Catholic congregation of the value of 25 *l.*; and land occupied by the Rev. Mr. Mullen of the value of 10 *l.*; then there is another entry of property as belonging to the "Trustees of the Roman Catholic Congregation, per Robert Monteith, of Carstairs, per Morrison and Marr, Writers, Lanark"; the tenants and occupants of which are, respectively, Hugh Larkie, 3 *l.*; Andrew Keogan, 3 *l.*; Serjeant John Miller, 6 *l.*; Serjeant George Dowrie, 8 *l.*, and the Sisters of Charity, 8 *l.*

1883. Now, I wish to go to another property; can you produce an extract from the valuation roll of property in Glasgow, entered as belonging to Jesuits and other orders?—The extract that I have in my hand is from the valuation roll for the burgh of Glasgow for the year 1869–70, and the following are entries taken from it: "The Rev. Alfred Weld and others, per T. B. Parkinson, 40, North Woodside-road," as entered as proprietors of a school at 21, Dalhousie-street, and the tenant is stated to be "the Rev. Alfred Weld and others." There the proprietor is also the occupant. This school is stated to be of the annual value of 150 *l.* The chapel adjoining is entered in the same way, and is stated to be of the annual value of 80 *l.* These are both in Dalhousie-street. The proprietor of 27, Rose-street, which immediately adjoins the property before referred to, is stated to be "the Rev. Alfred Weld and others, per T. B. Parkinson, 40, Woodside-road" (the same entry as for 21, Dalhousie-street), and the tenant there is stated to be Mary E. Dowd, and the value to be 50 *l.* For 31, Rose-street, the entry is the same, and the value is stated at 50 *l.* From the Catholic Directory it appears that Mary E. Dowd represents the Sisters of Mercy, and it also appears that the school referred to here is taught by the Jesuit Fathers.

Fathers. That appears at pages 126 and 174 of the Roman Catholic Directory for Scotland for this year. It is there stated that "the school is entirely under the direction of the Society of Jesus."

1884. Is there any further property there?—These are the entries for the property at the place you refer to, supposed to be held by the Jesuit Fathers.

1885. Now I will go to another property: can you produce a copy of the disposition in favour of certain parties described as Passionists?—Yes.

1886. Mr. *Matthews.*] Is this registered also?—It is also registered. This property was conveyed "to, and in favour of, the Right Reverend John Gray, Roman Catholic bishop, residing in Glasgow, vicar apostolic of the Western District of Scotland, the Reverend Eugene Martorelli, Roman Catholic clergyman, residing in London, provincial of the religious order or community, known by the name of the 'Passionists,' the Reverend Osmond Maguire, the Reverend Benjamin Lomax, the Reverend James Bonnyman, the Reverend Joseph O'Grady, and the Reverend Raphael Gorga, all Roman Catholic clergymen residing in Glasgow, and the acceptors or acceptor, survivors or survivor, of them, and the heir of the last survivor of them (the majority for the time resident in Great Britain and Ireland, being always a quorum)."

1887. Can you state the valuation and extent of that property?—That property is entered in the valuation roll from which I have already read as Nos. 38 to 34, Parson-street. The proprietor is there stated to be "the St. Mungo Roman Catholic Chapel, per Reverend Anselm Lomax and others," and the occupant is stated to be "the Reverend Anselm Lomax and others," and the rental 50 *l.*

1888. Mr. *O'Reilly.*] You read "chapel;" is that a chapel or a house?—The entry is "House, &c." There is no entry of the chapel, because in general places of worship are not entered in the valuation roll of the city. After a chapel has been newly erected, the registrar, in order to show that he has observed it, makes an entry of the chapel, and gives a certain annual value to it; but as the taxes in general are not leviable upon their value, they do not keep up the entry of them. As to the extent, I can only state the extent as it appears from the titles, and it is stated there at 3,683 square yards and 7 square feet, or thereabouts.

1889. Mr. *Newdegate.*] I will now go to another property held by the Franciscans, in Cumberland-street, Glasgow; can you produce an extract from the feu contract?—I regret to say that I have mislaid that extract; I had it with the other extracts, but after looking over the papers I brought with me this morning, I suspect that I have left it behind.

1890. When you find it will you supply it to the Committee?—Yes.

1891. And that will include the value and extent of the property from the roll?—Yes; the value is there given both of the school, the priory, and the chapel.

1892. That will be part of your evidence as a true copy?—Yes.

1893. Then I will pass on to another property: there is, I believe, a property held by Bishop Murdoch and others, in St. Mungo's, Glasgow, belonging to, and for the benefit of, the Marist Brothers; will you give a description of that property?—That property is entered in the valuation roll as belonging to "the Rev. Eugene Small, 52, Great Clyde-street," and the tenant is stated to be the "Marist Brothers, per Rev. Osmond Maguire;" the annual value is stated to be 50 *l.*

1894. Mr. *O'Reilly.*] What is it stated to be?—"House and school;" but the brothers reside there.

1895. Mr. *Jessel.*] Can you say what these Marist Brothers are?—I can only say what they are from the Roman Catholic Directory.

1896. Mr. *Matthews.*] How do you identify the persons to whom the Directory relates with the property mentioned in the valuation roll?—The address is given.

1897. Mr. *Jessel.*] Are they Jesuits, or not?—No. "This congregation, known through the British Isles as the 'Marist Brothers,' was founded in 1817, by the late Abbé Champagnat, at Lavala, in the diocese of Lyons." "The rapidity with which the institute has spread throughout France, its subsequent progress in Belgium, England, Scotland, Ireland, Oceanica, Syria, and the Cape of Good Hope, the ever-increasing demand in the above countries and many others for the services of the brothers, seem to be the facts alluded to by the Holy Father as evident marks of Divine favour, while they are to us happy auguries of extensive future usefulness and unmistakeable proofs of the adaptation of our constitutions and system to meet certain wants and requirements of our age." I read that from page 126 of the Catholic Directory.

1898. Do you know what they are really; can you tell us whether they are a monastic order or not?—I know nothing of them personally; I think that I have seen them in the street; that is all. "The brothers conduct poor schools, middle-class day and evening schools and boarding schools. They cordially co-operate in the methods approved by the patrons for meeting all school expenses, and in securing all educational grants given on honourable terms, as presently enjoyed by English and Scottish Catholics."

1899. Mr. *Newdegate.*] Will you state the trustees of this property?—The Right Reverend Doctor John Murdoch, Roman Catholic bishop, residing in Glasgow, vicar apostolic in the Western District of Scotland, the Right Right Reverend Dr. John Gray, Roman Catholic bishop in Glasgow, the Reverend Peter Forbes, the Reverend Valentine Chisholm, the Reverend Donald McEachen, the Reverend Eugene Small, and the Reverend James Bonnyman, all Roman Catholic clergymen in Glasgow, and the Reverend John Shaw, Roman Catholic clergyman in Rutherglen, as trustees for the purposes after mentioned."

1900. What are the purposes mentioned?—These parties are said to hold the property "under the declarations, conditions, and provisions following; namely, first, that the trustees for the time shall hold the said subjects and others in trust for the religious and educational purposes, either or both of the Roman Catholic congregation of Saint Mungo's aforesaid; secondly, that the said trustees for the time, and the survivors and survivor of them, shall have full power and discretion in the use and management of the said subjects for the purposes aforesaid, without control or interference by any individual or individuals whomsoever; and thirdly, that the said trustees for the time, and the survivors and

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survivor of them, shall have full power, with the consent and concurrence of the Roman Catholic bishop and vicar apostolic in the Western District of Scotland for the time, but not otherwise, to sell and convey the aforesaid subjects, or any part whereof, and to borrow money on the security thereof, and the purchasers or lenders shall have no concern with, or right to inquire into, the application of the price or prices received, or sums borrowed by them."

1901. Is that all the information that you have to give with respect to this property?—I think so.

1902. Passing now to another property, can you produce an extract from the register of sasines, showing the trust and extent of property held in Glasgow for the Sisters of Mercy?—Yes, a property at Garngad-hill was conveyed "to Teresa Mary Rigg, Elizabeth Dowd, Jane White, Jane Anne Hope Johnstone, and Mary M'Donald, all residing in Glasgow, and the survivors and survivor of them, in trust for the religious and educational purposes of the establishment called 'the Sisters of Mercy,' in Glasgow; declaring that a majority of the said trustees above named, or of those to be assumed by them, as after mentioned, acting and resident in Scotland at the time, shall at all times form a quorum, and that the said trust shall continue, and be, permanently maintained, upon the appointment or assumption of new trustees by the said trustees above named, or the survivors or survivor of them, which they and she shall have full power to do at pleasure; and that the said Teresa Mary Rigg, Elizabeth Dowd, Jane White, Jane Anne Hope Johnstone, and Mary M'Donald, and the survivors and survivor of them, and the person or persons to be assumed as aforesaid as trustees aforesaid, or their said quorum, shall have full power to sell and dispose of the lands and others, after disponed by public roup or private bargain, and to borrow money on the security of the said lands and others, and to grant, execute, and deliver all deeds and writings necessary of these purposes, and that without the consent or concurrence of any party whatever; and that the purchasers or lenders shall have no concern with, or right to inquire into, the application of the price or prices received, or of the sums borrowed by the said trustees, or the purposes of the said trust." That is the extract of one deed; and I have another extract from a deed, conveying to the Sisters of Mercy a property in St. Mungo-street, but not to the same trustees. This latter deed bears to have been granted "in consideration of the sum of 1,825 *l.* sterling, instantly paid to me by Teresa Mary Rigg, Elizabeth Dowd, Jane White, Jane Anne Hope Johnstone, Mary Curran, and Helen Strachan, all presently residing at Hill House, Garngad-hill, Glasgow, for behoof of the community of the Sisters of Mercy, in Glasgow, as the price of the said subjects, and others, of which sum I hereby acknowledge the receipt;" and the property is sold, alienated, and disponed to the said Teresa Mary Rigg and other ladies named, "and the survivors and survivor of them, in trust for the religious and educational purposes of the establishment or community called the Sisters of Mercy, in Glasgow; declaring that a majority of the said trustees above named, or of those to be assumed by them as after mentioned, acting and resident in Scotland at the time, shall at all times form a quorum; and that the said trust shall continue and be permanently maintained, upon the appointment or assumption of new trustees, by the said trustees above named, or the survivors or survivor of them, which they and she shall have full power to do at pleasure."

1903. Is that a complete extract?—Yes.

1904. Mr. *O'Reilly.*] Then the value of that is, what?—The annual value of the property at Garngad-hill is stated at 290 *l.*

1905. What is it described as?—"House and ground." And there is another entry at the same place of "house and ground," at 19 *l.*, the tenant of which is stated to be Patrick M'Guire, foreman. I have to explain that in the valuation roll the proprietor is stated to be "Roman Catholic trustees, per Madame Aimie Des Anges."

1906. Mr. *Newdegate.*] That is a correct extract from the valuation roll?—Yes.

1907. I think that that is all the information that you are prepared to give with respect to the property of the Sisters of Mercy?—I wish to explain that this property is entered in the valuation roll as being occupied by the Little Sisters of Poor.

1908. You will have some further evidence to give upon the Little Sisters of Poor, will you not?—Yes.

1909. Mr. *Matthews.*] These are also Glasgow ladies, as I understand?—It is Glasgow property.

1910. Mr. *Newdegate.*] Now, I have to ask you whether you can produce a copy of an instrument of sasine, showing a trust and the extent of property on which Franciscan nuns are located?—Yes, in the city of Glasgow. These ladies are located in Charlotte-street, as stated at page 175 of the Catholic Directory. That property stands vested, according to this instrument of sasine, in the "Right Rev. Dr. John Murdoch, Roman Catholic bishop and vicar apostolic in the western district of Scotland, residing in Glasgow; the Right Rev. Dr. Alexander Smith, Roman Catholic bishop and coadjutor vicar apostolic in the said western district of Scotland, residing in Glasgow; the Rev. John Grey, Roman Catholic clergyman, residing in Glasgow; the Rev. Peter Forbes, Roman Catholic clergyman, residing in Glasgow; the Rev. William Gordon, Roman Catholic clergyman, residing at Greenock; the Rev. Michael Condon, Roman Catholic clergyman, residing at Hamilton; and the Rev. Thomas Coddy, Roman Catholic clergyman, residing in Glasgow, as trustees after mentioned." And the property is conveyed to these parties, "and to any other person or persons to be appointed to act along with or to succeed them in manner thereinafter provided, and to the survivors or survivor of his said disponees, the majority for the time resident in Scotland, being a quorum, and to the assignees of the said trustees, declaring always, as it was by said disposition so produced, expressly provided and declared, that the said trustees, and their successors in office, should hold the said subjects for the uses and purposes, and with the powers, and under the conditions and provisions following; that was to say, first, the trustees for the time should hold the said ground, and all buildings already erected, or which might be from time to time erected thereupon, in trust for the educational purposes of the Roman Catholic congregation in connection with the church of St. Andrew, Great Clyde-street, Glasgow; and in particular, they should so hold the said

aid subjects for a school-house or school-houses, ither or both, or for any other purpose in connection with the educational purposes aforesaid. Second, the said trustees for the time should ave the most full and ample powers in the se and management of the said subjects for ehoof foresaid, without control or right of nterference in any way by any individual or ndividuals; but it should not be lawful to, nor n the power of, the said trustees, except with he consent and approbation of the said Right Rev. Dr. John Murdoch, or of the Roman Catholic bishop or vicar-apostolic for the time in he said western district of Scotland, or other istrict or division within which the said congregation might for the time be situated, to sell or ispose the foresaid subjects or any part thereof, r to burden or contract debt upon the same; ut it should be lawful for the said trustees for he time, with such consent and approbation, to o any of the said acts, the price or prices, or ums borrowed, being to be applied or used by he said trustees for the time in such way and manner as the said Right Rev. Dr. John Murdoch, or the said Roman Catholic bishop or vicarpostolic for the time might direct, but with vhich application or use purchasers or lenders hould have no concern. Third. The trust by aid disposition so produced, created, should, so ong as the said subjects were held for the purposes before mentioned, continue and be permanently maintained, upon the appointment of ew trustees by the said Right Rev. Dr. John Murdoch, or by the Roman Catholic bishop or icar-apostolic officiating for the time in the said estern district of Scotland, or other district or ivision within which the foresaid congregation ight for the time be situated, which appointment of new trustees should be made by the aid Right Rev. Dr. John Murdoch, or by the aid bishop or vicar apostolic for the time by a riting under his hand, from time to time and as ften as he should see proper. Fourth. Each and very trustee so to be appointed should in the ame manner, and as effectually as if he had been amed in said disposition so produced, stand fully ested in the said subjects thereby conveyed, and hould hold the same, subject to such and the like usts, and with and under the powers and provions which are therein contained."

1911. That is a full extract?—That is a full xtract of one part of the Charlotte-street proerty; but there is another property, the trustees amed in the title to which are the Right Rev. ohn Murdoch, D.D., Roman Catholic Bishop in lasgow, and Vicar Apostolic of the Western istrict of Scotland; Right Rev. Dr. Alexander mith, Roman Catholic Bishop in Glasgow; Rev. Villiam Gordon, Roman Catholic clergyman ere; Rev. Peter Forbes, Roman Cathlic clerman there; Rev. Archibald Chisholm, Roan Catholic clergyman there; Rev. Charles I'Kenzie, Roman Catholic clergyman, Paisley; ev. James Smith, Roman Catholic clergyman, amilton; Rev. John Grey, Roman Catholic ergyman, Glasgow; Rev. John Shaw, Roman atholic clergyman there; and Rev. Alexander unro, Roman Catholic clergyman, Duntocher; and to the survivors or survivor of them, and the sponees or disponee of the survivors or survivor them, excluding all legal heirs whatsoever, the ajor number surviving and resident in Scotland om time to time being always a quorum."

1912. *Chairman.*] Was that for the same purposes as the other?—The purposes of the trust, as given in the former deed, are not repeated in this deed.

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1913. Mr. *Matthews.*] Is there any expression of its being on the same trust?—No.

1914. Then there is no trust?—No trust, except that the disposative clause indicates a trust.

1915. Mr. *Newdegate.*] Can you show from the valuation roll the extent of these two properties and their annual values?—They are both entered the same way; the one is 62 to 64, Charlotte-street; the proprietor is there stated to be "Franciscan convent, per James Connelly, 43, Great Clyde-street;" the tenant is stated to be "Franciscan convent, per Madame McIntosh," and the yearly value is stated at 50*l.* The next entry is from 56 to 58, Charlotte-street; the proprietor is the same as in the former entry, and the tenant is stated to be "Franciscan convent, per Madame McSwiney," and the rent or annual value is stated at 150*l.*

1916. *Chairman.*] But who is entered there as the owner?—The "Franciscan convent, per James Connelly."

1917. In what capacity is he entered there?—Where an entry of this kind occurs, it is usually the name of the person by whom the return is made. If the return does not disclose the names of the proprietors, then the person making the return is put in as having made the return in this form.

1918. But who is liable for the rates?—I would suppose that James Connelly would be liable if he made a return in this form; but of course everything in the property would be liable for the rates.

1919. There are reasons why the owner or occupiers must be inserted. They acquire certain rights, according to the payment of rates, do they not?—Yes.

1920. Mr. *Newdegate.*] Is that all that you have to state in respect of those two properties?—I think so.

1921. Then I will pass to another property. Can you produce extracts from three deeds, showing the extent and value of property held by eight nuns of the Good Shepherd convent, in the vicinity of Glasgow?—Yes. The convent of the Good Shepherd is at Dalbeth; the register shows the proprietors of that property to be "the Right Rev. Dr. John Murdoch, Roman Catholic Bishop, residing in Glasgow, the Rev. William Gordon, the Rev. Peter Forbes, the Rev. John Grey, and the Rev. John Shaw, all Roman Catholic clergymen in Glasgow, the Rev. Alexander Smith, Roman Catholic clergyman in Airdrie, the Rev. Charles M'Kenzie, Roman Catholic clergyman in Dumbarton, and the Rev. James Smith, Roman Catholic clergyman in Hamilton;" "and to the survivors or survivor of them, the major number alive and resident in Scotland for the time being always a quorum, and to the disponees of them, or the survivors or survivor of them, secluding all legal heirs."

1922. Mr. *Matthews.*] Are there any trusts there?—There do not appear to be any trusts there.

1923. *Chairman.*] But is that the entry for those names that you have been reading of proprietors?—Yes; the parties that stand vested in the property shown by the public registers.

1924. And no other names mentioned?—No other names mentioned.

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1925. No regard to occupation?—I was going to explain that these gentlemen sold a piece of this property afterwards to Anne Keasley, Frances Power, and Mary Nordlolen, all spinsters, and residing at Hammersmith, near London, and Emma Henrietta Rambach, spinster, sometime residing at Hammersmith aforesaid, thereafter at Caen in Normandy; and the now deceased Eliza Daniel and Mary Lowe; and these ladies were infeft therein conform to instrument of sasine recorded in the General Register of Sasines at Edinburgh, 4th December 1851; but the particulars of that deed I am not enabled to state.

1926. *Chairman.*] You state that a part of the property which you have been just describing, has been sold to these persons?—Yes; and they are entered as the proprietors of it.

1927. That does not apply to the remainder of the property?—No; they did not sell the whole; that piece of property is now entered as belonging to Mrs. Robinson, in trust for the community of the "Good Shepherd, per Thomas Stout," and the occupier is stated as Mrs. Robinson, the rental being stated at 105 *l.*; then there is another piece of property entered in the same way.

1928. Mr. *Matthews.*] Is Mrs. Robinson one of the persons to whom this is conveyed?—Her name does not occur in the reference I have to the deed under which the property was conveyed.

1929. Mr. *Newdegate.*] You have now spoken of a property which has been separated from the principal property?—Yes.

1930. And you are now describing that separate property?—Yes; the property is entered in two sections, and one is called a house and the other a reformatory for girls. In the valuation roll the house is entered as of the value of 105 *l.*, and the reformatory is entered as of the value of 60 *l.*

1931. *Chairman.*] Did either of these properties pass under the deed which you referred to just now?—Both these properties.

1932. Mr. *Matthews.*] The real owners appear from the deed actually registered, and Mr. Robinson is probably the manager?—The valuator very generally, indeed I think always, takes the name that is given to him, but Mrs. Robinson may be legally vested in the property under the operation of the deed. But into that the assessor will not care to inquire; he does not make any inquiry as to the title of anyone who returns himself as being the proprietor.

1933. Mr. *Newdegate.*] Now, as regards the principal property from which this was separated, have you any record of the value of that?—Yes; I take that to be the property now described as belonging to the "Reverend Anselm Robertson;" but I have some uncertainty about that, and I would not wish to state that that is the same property; I rather think that it is; that the property entered in the valuation roll as belonging to the Reverend Anselm Robertson, and occupied as a reformatory for boys, is part of the original property conveyed under the first deed which I read. I suppose it is the part which remains after the part given off to the ladies of the community of the Good Shepherd.

1934. Now, my question relates to the principal original property from which this was separated; can you speak as to that?—If I am right in the view which I have mentioned, then the value of what remains is stated under three heads, first, "house and ground," of the annual value of 120 *l.*; "pasture land," of the annual value of 50 *l.*; and a "house," of the value of 12 *l.*

1935. Have you anything further to state with respect to property originally vested for the benefit of eight nuns of the convent of the Good Shepherd?—I think not; I think that is all that I can state with regard to that.

1936. Now, I will go to another property; can you produce an extract of title, and an extract from the valuation roll relating to some property belonging to the Little Sisters of the Poor?—There is no title that I have found that specially refers to the Little Sisters of the Poor; but from the Catholic Directory it would appear that these ladies are located upon the subjects acquired by the Sisters of Mercy in Garngad-hill.

1937. Will you read the extract?—That relating to property at 138, Garngad-hill, is one of the titles I have already put in.

1938. That is part of the property referred to in your previous evidence, is it?—It is.

1939. Can you give the value of this property, and its extent?—I have also stated that already.

1940. Have you any further evidence to give with respect to this property occupied or enjoyed by the Little Sisters of the Poor?—No, I have not.

1941. Now, have you any further evidence to give with respect to the Roman Catholic properties?—I find that in Abercrombie-street there is a property occupied as an "Orphanage and Female Industrial School," stated to belong to "Dr. Gray and others, per Rev. Patrick Forbes," and occupied by "Madame Suffum, superior," the value of which is stated at 120 *l.*

1942. That is an extract from the valuation roll?—Yes; there is a house adjoining, also occupied by the same lady, "for self and sisters," of the value of 10 *l.* Then there is adjoining an industrial school for boys.

1943. Mr. *Matthews.*] Who occupies that?—The tenant is stated to be the "Roman Catholic school manager, per John Orr, superintendent," the same proprietor, Dr. Gray and others, the value of which is stated to be 250 *l.*; and there are other properties there, a house and a day-school, stated respectively to be of the value of 60 *l.* and 30 *l.* I have the deed for that, and can produce it if it is desired.

1944. That is all the evidence that you have to give with respect to these Roman Catholic institutions?—It is so.

1945. *Chairman.*] You say that this is no evidence at all as to who this property is owned by?—I do not exactly put it so; for many purposes this will be received as evidence on behalf of the party representing himself as in right of the property. For instance, for a party claiming to be put on the roll of electors, this is quite sufficient.

1946. All you know is the occupant, the person who returns you his name and the value of the property?—Yes, excepting as far as the deeds disclose, who are the persons in whom the property is vested.

1947. You are satisfied with the name of the occupant?—I have given you both, as they appear on the roll.

1948. You are satisfied with the name of the occupants, though there is nothing in the deed to indicate that they are the occupiers?—Excepting where the same name occurs. If I find the names in the deed occurring in the entry of the

he subjects to which it applies in the valuation oll, of course I presume that the same person s referred to.

1949. You mentioned, did you not, a case where you did not find the same name as the occupier?—I think you will very seldom find hat the entries in the valuation roll quite correpond with the entries in the deed.

1950. There is no necessary connection between them?—I am not prepared to say that.

1951. In the Scotch courts they would take ntry in the valuation roll as primary evidence f possession, would they not?—Yes.

1952. Mr. *Newdegate.*] You have produced undry trust-deeds; there is a difference in those rust-deeds, is there not, from the model deeds f the Free Church schools, from those of the United Presbyterian schools, and from those of he Reformed Presbyterian body; and will you state what that difference is?—The model deeds f the churches that you have named generally place the right of property with the congregation, and make the property to follow the distinctive principles of the body, but are so framed as to exclude all questions as to these principles from the law courts. So far as I have been able to form an opinion upon the deeds which I have produced applicable to the Roman Catholic Church, they rather seem to indicate that the property will follow the authorities of the Church.

1953. Will you give the Committee a copy of the Free Church deed, the United Presbyterian deed, and the Reform Presbyterian deed?—Yes, I will produce copies. I wish to explain that the model deeds do not apply to church school property in particular, but to ecclesiastical property generally. I wish also to state, with regard to the Reformed Presbyterian Church, that that Church has no model deed; but I can put in a title to part of their property which is very generally used for that body.

Friday, 24th June 1870.

MEMBERS PRESENT:

Mr. Bourke.	Mr. O'Reilly.
Mr. Cogan.	Sir John Ogilvy.
Mr. George Gregory.	Mr. Pease.
Mr. Jessel.	Mr. Sherlock.
Mr. Matthews.	Mr. Villiers.
Mr. Newdegate.	

THE RIGHT HON. CHARLES PELHAM VILLIERS, IN THE CHAIR.

MR. JAMES DEWAR, recalled; and further Examined.

Mr. *J. Dewar.* 24 June 1870.

1954. Mr. *Newdegate.*] WHEN you were last before this Committee, you referred to the copy of a certain sermon, which you had not heard, but which appeared in the newspapers, and the Committee very properly required that that should be verified. I understand that that sermon contains a detailed account of this institution of the Redemptionists, and I beg to ask you whether you can produce evidence that the report which you held in your hand at that time is correct?—I have a copy of the paper verified by the reporter.

1955. Will you produce the verification of the reporter?—I have a letter from the reporter stating that it is correct.

1956. Will you read it?—"It is not the practice to do what you request, except before a court" (I asked for an affidavit before a justice). "I can however swear to the accuracy of my report of Dr. Smith's sermon, and, if necessary, am quite willing to appear before the Committee for that purpose. With this I send a paper containing the sermon, over which I have written my name, certifying that it is correct; will that be sufficient? Yours truly, *James S. Stewart.*" That is dated 22nd June 1870, and the certification on the paper is, "I certify that this sermon is correctly reported, James S. Stewart."

1957. *Chairman.*] You addressed the reporter yourself?—I addressed the reporter myself, and I got a telegram the last day that I was here after the Committee rose, stating the same thing, namely, that the report was correct. "I condensed Dr. Smith's speech from my notes; I omitted passages, but what appeared was word for word as spoken."

1958. Mr. *Newdegate.*] Who is that from?—From the reporter, James Stewart, Dundee.

1959. I will read one passage from a report of that sermon, and ask you whether it is consistent with what you hold in your hand: "The headlong fury of the mob, whom the very men who inspired them characterised as 'the rascal multitude,' drove them to the religious houses of the Grey and Black Friars; and in a few hours those magnificent edifices were destroyed with their riches, their altars, their confessionals, and every hallowed relic of antiquity. The same fate was experienced by the charterhouse of the Carthusian Monastery; and that day's work was the prelude to many similar excesses perpetrated at Scone, Cupar, Dundee, St. Andrew's, and other places. How consoling it is at last, after 300 years, to find us assembled peacefully to-day in the township where these scenes of iconoclastic vandalism were perpetrated, to open such a church as this, built by the genius of a distinguished local architect, with the friendly co-operation and the best wishes of the citizens of the town which, 300 years ago, disowned so strongly the worship of the Catholic Church;" does that appear in the report which you have?—That appears in the report.

1960. Now with reference to the Ursulines of Jesus, St. Margaret's, Edinburgh, can you produce a certified entry from the valuation roll of the burgh of Edinburgh showing proprietor, occupier, and rental?—Yes; "St. Margaret's Convent, Whitehouse, Loan; proprietor, Margaret Clapperton and others, per Macdonald and Roger, 8a, Abercromby-place; occupier, Margaret Clapperton and others; rental, 380*l.*"

1961. That is a correct entry?—An attested extract by the town clerk of Edinburgh from the roll.

1962. Now I will go to the Sisters of Mercy, St. Catherine's, Edinburgh; can you produce a certified entry of that from the valuation roll of the burgh of Edinburgh?—I can. The entry is, "St. Catherine's Convent; situation, Lauriston-place; proprietor, Mrs. Colonel Hutchinson's trustees, per Lindsay Howe and Company" (the agents for the trustees), "32, Charlotte-square; occupier, Sisters of Mercy; rental, 340*l.*"

1963. Then I go to the establishment of the Jesuits in Edinburgh; can you produce a certified extract of the valuation roll of a church and house of the society of Jesuits, Edinburgh?—I can; the description of the property, in the first place, is, "Church situated in Lauriston-street; proprietor, Society of Jesuits, per the Rev. H. Walmesley there; annual rent, 400*l.*"

1964. Is that a correct entry?—That is an attested entry; there is also a house in connection with this society, a house situated in Lauriston-place, owned by the "Roman Catholic Society, per Macdonald and Roger, 8, Abercrombie-place; rent, 30*l.*"

1965. I will now take the property of the Loretto Nuns, in Leith; can you produce a certified

ified extract of entries from the valuation roll of he burgh of Leith, of properties held by the Roman Catholic Church, and can you state, on the uthority of the assessor, that the second entry f this extract is the house occupied by the nuns, he proprietors of which are said to be the trustees f the Roman Catholic Church?—I can.

1966. Will you read, in the first instance, the irst extract that you have made?—The first extract refers to a dwelling-house, occupied by the Rev. Edward Bradshaw, but the second one efers to the house you are asking for, namely, umber 106 on the roll, situated in Constitution-treet; "proprietor, the trustees of the Roman Catholic Church; occupier, Roman Catholic Church trustees aforesaid; annual value, 45 *l.*"

1967. Mr. *Matthews.*] Do you know that the ouse is occupied by the nuns?—I am speaking f the house as it is assessed by the burgh ssessor.

1968. The burgh assessor says nothing about he nuns?—I daresay not, because it is not sual to enter those particulars.

1969. This is all that he attests, "proprietor, he trustees of the Roman Catholic Church," and he occupiers the same?—I can only speak to hat entry upon the authority of the assessor, ecause I am not familiar with the house or its nmates.

1970. Mr. *Newdegate.*] Take the extract in our hand and read it through, and then I will sk where you got it from?—There are four roperties in this return; the second one is described in the roll as "a dwelling-house situated n Constitution-street; proprietor, the trustees of he Roman Catholic Church," and the occupier s set down in the roll, "Roman Catholic Church rustees aforesaid; rental, 45 *l.*" The owner, School-room, Kirk-gate; proprietor, the same, he trustees of the Roman Catholic Church," and he occupier the same; rental, 25 *l.* Then comes Chapel, Constitution-street; proprietors, "trustees of the Roman Catholic Church," and occupier he same; rental, 120 *l.* And upon the authority f the assessor, I am able to say that this second ntry is occupied by nuns.

1971. Will you read the attestation?—"Certified, James Simpson, Assessor of Lands and Heritages."

1972. Mr. *Matthews.*] I see nothing about Loretto Nuns in that?—That is only obtained from ocal knowledge.

1973. Mr. *Newdegate.*] Do you know anything about this property yourself?—Not personally.

1974. Is this person the assessor who has sent ou that paper?—He is the assessor.

1975. Then that information is from the assessor?—It is from the assessor, but the fact of uns occupying it does not appear in the roll.

1976. Mr. *Jessel.*] How do you know that act?—From the assessor personally, privately.

1977. Mr. *Matthews.*] You had conversation with him?—I had communication.

1978. Did he write a letter?—Yes.

1979. What is the letter?—"Agreeably to equest, left here this afternoon by Mr. Armand sking extract from valuation roll relating to ouse in Leith occupied by persons known as Loretto Nuns, I enclose certified extract of roperty belonging to the Roman Catholic Church trustees in their own occupancy. The second entry is the house occupied by the Sisters of Charity.—I am, yours truly, *James Simpson.*"

1980. *Chairman.*] You know that to come from the assessor?—I do.

1981. Mr. *Matthews.*] Was it addressed to you?—It was not addressed to me.

1982. To whom was it addressed?—I do not know that I am at liberty to say that.

1983. Are you unwilling to say?—I would rather not, unless you require it.

1984. *Chairman.*] You know that it came from the assessor?—I know that it came from him.

1985. Mr. *Newdegate.*] Inasmuch as you have been an assessor yourself for some time, can you describe how the valuation roll in Scotland is made up?—It is made up under the Act which I hold in my hand, 17 & 18 Vict. c. 91, 10th August 1854; and the process by which we make up the roll is to issue schedules in accordance with the schedule in the Act, calling upon all proprietors to fill up the particulars stated there, and also calling upon all occupiers to fill up those particulars. The assessor's right to call for that is contained in the 7th clause of the Act.

1986. Will you read that clause?—"It shall be lawful for any assessor acting under this Act to call upon any person being a proprietor or reputed proprietor, or tenant or occupier, within the county or burgh or district for which such assessor is appointed, for a written statement of the yearly rent or value, and of all other particulars required by this Act of all lands and heritages within such county or burgh or district of which such person is proprietor or reputed proprietor, or tenant or occupier; and if any such person shall, without reasonable excuse, fail to furnish such written statement to such assessor within 14 days after he shall be called upon in writing so to do, he shall be liable to pay a penalty not exceeding 20 *l.*; and if any such person shall present, or cause to be presented, to such assessor any false statement of such yearly rent or value, or other particulars as aforesaid, he knowing the same to be false, he shall be liable to pay a penalty of 50 *l.*" The practice in Perth has been to call for schedules from both proprietor and occupier. In some places only proprietors are called upon, and the tenants are surveyed with a view of checking the proprietors' schedule. The practice in Perth up to the present year has been to call on both parties to make returns, and they have always done so.

1987. *Chairman.*] Does not the law prescribe the mode in which they shall return the value of the property?—It does; it is in the schedule of the Act.

1988. Mr. *Newdegate.*] Have you anything further to state?—I am not aware that I have.

1989. Mr. *Matthews.*] Only one passage of this sermon, to which reference has been made, has been read to you; it appears from this sermon, does it not, that these gentlemen, the Redemptonists, are engaged in missionary work?—Yes, it does.

1990. Let me read you this passage: "It is not intended by any means that the work of the missionaries shall supersede the ministrations of the clergy who may be appointed to particular districts; on the contrary, it is to help them in the very way their hearts will most desire. And, therefore, it is a rule among the fathers who go to missions, to do nothing except in concert with the authorities whom the bishops have appointed to be the ordinary administrators of the places to which they may be called. Already many

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times the cities in Scotland, and even in England, have experienced the beneficial effects of their ministrations"?—I believe that is quite correct; they supplement the work of the resident clergy. I do not think that they supersede it.

1991. And they supplement it in particular by giving retreats, or periods of prayer, and meditation, and preaching, and so on, in the district?—They hold what, I understand, are called missions in different towns.

1992. Those missions are satisfactory, at any rate, to their co-religionists, as far as you know?—They must be.

1993. Those gentlemen have been welcomed there not only by the clergy, but also by the laity among the Roman Catholics?—I have no doubt they have. I cannot say that they have received any welcome beyond their own community.

1994. You have given evidence about certain establishments at Edinburgh; do you know anything of the nature of any one of those establishments?—Not personally.

1995. Do you know whether they are devoted to the education of the poor?—I am not able to answer that question.

1996. You know nothing about them?—Except the extracts that I got from the assessor, and the private information which he communicated. In the making up of the valuation roll, we do not inquire particularly into those questions.

1997. The chief point in the valuation roll I take it, is the rent?—The rent.

1998. You have no personal remedy against either occupier or proprietor, have you?—In regard to the taxes, I suppose they have.

1999. They cannot go against the occupier personally?—I believe they can.

2000. I thought it was only by distress?—The rates are recovered in the usual way by the sheriff's officers.

2001. You do not bring an action against anybody; nobody is personally liable, is he?—I am not personally aware.

2002. *Chairman.*] How long has this institution that you have been referring to in Perth been established?—The house in Kinnoull Hill has been established, I should think, about two years.

2003. That is at some distance from the place where the Catholics dwell, is it not?—It is about half an hour's walk up hill.

2004. You know nothing about how far they aid or supplement the labours of the clergy; you have only heard it stated?—I have only heard it stated.

2005. You have never met them?—I am not aware that they do any extra work, so far as I know in Perth.

2006. Mr. *Matthews.*] Do you know anything about the St. Joseph's Convent, in Stormont-street, Perth?—I know there is such an institution.

2007. Do you know what work those ladies do?—I believe that one half of them give themselves up to teaching in the penitentiary and religious exercises there.

2008. Is the penitentiary an establishment for fallen women?—No; it is the general prison for Scotland, and others of them teach in their own schools in the High-street.

2009. Then, in fact, they are all employed in some charitable work of that sort?—I believe they are.

Mr. John Macmillan Robertson, recalled; and further Examined.

Mr. *Robertson.*

2010. Mr. *Newdegate.*] I believe that you have something to add to the evidence given on the last day; may I ask whether you can produce a map of the City of Glasgow, showing the position of the friary in that city?—Yes; I produce a map of the City of Glasgow, as published with the Glasgow Post Office Directory in the month of May last (*producing the same*).

2011. Where is this Franciscan Friary situated? It is situated on the south side of the city; the eastern part of it, in Cumberland-street, Glasgow. It is marked, "R. C. Friary;" I was unable, at the last meeting, to give the excerpt from the title to this property, but I said that I expected to be able to produce it to-day, and I am now in a position to do so.

2012. Will you produce the extract from the title-deeds to which you referred?—"The site on which the property is built stands vested in the most Rev. Charles Eyre, Archbishop of the Roman Catholic Church in Scotland, the Right Rev. John Gray, Bishop of the Roman Catholic Church in the western district of Scotland, and the Very Rev. Livin Anthony Emmanuel Kenners, parish priest of St. Francis, Roman Catholic parish, Glasgow, as trustees for behoof of the Roman Catholic congregation of St. Francis, Glasgow;" and the ground extends to about two acres.

2013. Have you given the value in your previous evidence?—No, I have not, but I will give it now.

2014. Mr. *Jessel.*] There is no other trust declared of that?—No other trust. The buildings erected upon that property are entered as follows in the valuation roll for the burgh of Glasgow: "School, Cumberland-street, proprietor, St. Francis Friary, per Rev. Emmanuel Kenners; South Cumberland-street, occupier, St. Francis Friary, per Emanuel Kenners; annual value, 40 *l.*, but reduced on appeal to 30 *l.*" The friary is entered separately as belonging to the same proprietor, and in the same occupation, and of the annual value of 100 *l.*

2015. Is it called "friary"?—It is; the "friary" is entered in the same names as the schools.

2016. *Chairman.*] What is the Rev. Emmanuel Kenners?—He is both proprietor and occupier.

2017. That is to say, as far as his own return proves it?—And the title-deed also shows that; the title-deed and the return are in this case identical.

2018. Did the title-deeds refer to him as the proprietor?—Yes, and to some other trustees.

2019. And he is elected to make the return?—He is.

2020. He would be looked to for payment of the rates?—Yes.

2021. And supposing there were arrears due, upon whom would the process be served?—The Rev. Mr. Kenners would in that case be personally liable if the authorities chose to recover by action.

action. They can recover either by action or by distress; we have a double remedy in Scotland.

2022. You would distrain upon the property itself?—Yes.

2023. But you would not look to any other person, though you had evidence that there were other trustees, but the person who made the return?—I am not prepared to say that they would not be liable if it could be shown they were really proprietors.

2024. But you are usually satisfied with the return made by the person himself that he is the owner?—If a person returns himself as owner and nothing is known to the contrary, he is set down as proprietor; in this case he did not claim proprietorship as a personal right, but as a trust right.

2025. The law requires every occupant to make a return of his property, and with that return he gives his name?—Yes.

2026. Was he, Mr. Kenners, distinguished from any other proprietor in the way in which he made that return?—Only in this respect, that he made the return in such a way as to show that it is not a personal right, but a trust right; he is only set down here as a trustee, or rather as the hand which makes the return to the assessor.

2027. But in law you do not recognise anybody as trustee, but you look upon him as the occupier of the property, and therefore liable?—Yes.

2028. Mr. *Matthews.*] You assume that he is the same Rev. Emmanuel Kenners as is mentioned in the deed to which you have referred?—Yes.

2029. And he is there described as the "Parish priest of St. Francis?"—Yes.

2030. *Chairman.*] Are you the registrar of deeds?—No. I am speaking of what I know from my practice as a solicitor.

2031. But do the parochial authorities ever look to the title of the property entered?—Not in the usual case. If it happened that there were any special difficulties in recovering the rates, I have no doubt the parochial authorities, if they thought it necessary, would find means of looking at the title, so as to get at the real proprietors.

2032. What is the purpose of anybody returning himself as trustee; is it to indicate to the parish that he is not the real owner?—It would be scarcely proper for him to return himself as proprietor if he were only holding in trust.

2033. You say that if there were arrears of rates, the parish would go against him alone, though he is described as trustee?—He could be gone against alone in consequence of his having made this return.

2034. And it would be no answer to the proceedings to say that he was a trustee?—I think not.

2035. Mr. *Matthews.*] There is no action, is there, for recovery of rates?—I act as agent for a parish, and I know that we have chosen in several instances to proceed by action rather than the other remedy. We have a very cheap form of recovery in the small debts court; and it is sometimes better to try questions as to rates in that way rather than proceed by distress.

2036. Mr. *Bourke.*] You recover it before the sheriff?—Yes.

2037. Mr. *Newdegate.*] Have you anything to add to your evidence with respect to the manner of making up the valuation roll in Scotland?—Before you proceed to that, would you allow me to mention that there is another entry in the valuation roll applicable to this property; it is that of the chapel, which is set down as of the value of 150 *l.* The entries for this property are 40 *l.* for the school, 100 *l.* for the friary, and 150 *l.* for the chapel, and all are entered as belonging to the same proprietor, and in the same tenancy.

2038. Now will you state how the valuation rolls in Scotland are made up?—They are made up in the manner described by Mr. Dewar.

2039. You have heard the evidence?—I heard that evidence.

2040. And do you agree with it?—I agree with what Mr. Dewar stated.

2041. Will you state, shortly, the difference between the Romish trusts and the trusts of the other religious bodies, as appearing from the deeds produced by yourself to the Committee, and also the effect of that distinction in regard to the members of these several religious denominations?—I think I answered that question at the last meeting.

2042. Will you now produce, in support of that evidence, the deed of the property belonging to the friary of St. Francis, and also the deed with regard to the Dalbeth and Westhorn property?—I have already produced an excerpt from the St. Francis title, showing the form in which it is held; and the copies referring to Dalbeth which you refer to, I expected to have had here to-day, but I have just had a communication to the effect that after being copied, the train in which they were sent away sustained an accident, and the consequence is that the copies have not yet arrived; but if the Committee will allow me an opportunity, I can put them in afterwards.

2043. Will you state generally the difference between these deeds, and put in the papers which are delayed by the accident of the train when they come?—I stated on the last occasion that almost every case which has been yet decided in the Scotch courts, with reference to ecclesiastical property, has been decided upon the principle that the property is attached to the holding of certain doctrines or principles; but that the reading which I have made of these Roman Catholic trusts, leads me to be of opinion that the property held under them would follow, not doctrine or principle, but external authority; that is the opinion I have formed, stated generally.

2044. You will furnish the Committee with the extracts from the deeds which illustrate that opinion?—Those extracts which I have already furnished illustrate that opinion; I made reference, at the last meeting, to certain model deeds which have now been adopted by the Free Church, the United Presbyterian Church, and the Reformed Presbyterian Church; these are designed so to regulate the disposal of ecclesiastical property, that if any question arose with regard to it, the question should be determined, not by a court of law deciding upon what are principles of the church, but by the members of the church themselves, either by the members in a particular congregation, or by a vote in the ecclesiastical courts; that is the object of those model deeds to which I referred.

2045. *Chairman.*] What does "a vote in the ecclesiastical courts" mean?—What I mean by that is this, that in the event of any question arising in the church which might be supposed to effect its principles, the decision of the highest ecclesiatical court of the church should be bind-

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ing over the whole body, and that the property should follow that decision.

2046. Mr. *Jessel.*] You mean by a court, an assembly of the church?—Yes; I am speaking of ecclesiastical courts, courts that have no jurisdiction, except by consent.

2047. Mr. *Matthews.*] Just the same jurisdiction as Roman Catholic bishops?—Just the same in respect to consent.

2048. Mr. *Bourke.*] It is a deed that puts all the parties in the position of contractors to one another; that is the object of the deed?—Yes.

2049. Mr. *Newdegate.*] You intended by your answer that, in the case of the Presbyterian body, these properties were subject to the jurisdiction of the court, that they were to be held subject to the decision of the majority of the synod of those bodies?—Or of the General Assembly, as the case may be, these courts being composed one-half of clergymen and the other half of laymen.

2050. Then, if I understand you rightly, the Roman Catholic property, and the property of the Free Church of Scotland, the United Presbyterians, and other bodies, is held by law upon the same terms, that is, as common property by contract among the members of the several denominations?—No doubt the court would look at the case of Roman Catholic property as a question of contract, and would construe that contract according to the evidence in regard to it; but what I stated was this, that it appears from the nature of these trusts that the principle involved in them is subjection to a certain external authority, that authority being the clergy.

2051. Then the difference which you wish to express to the Committee, as appearing to you from examination and comparison of the deeds on which these several bodies hold their property, is, that it is not the majority of any assembly within Scotland or England that disposes of the Roman Catholic property, but it is some authority external to the United Kingdom. The question is, what do you mean by the term "external?"—The sense in which I used it was, external to the congregation. The Roman Catholic trusts which I have read to the Committee indicate, first of all, the bishop, as the higher authority to the trustees, but of course he derives his authority from and in the execution of the duties of his office, and is subject to the control which I suppose exists out of the United Kingdom. The difference between the two may be expressed in this way, that with the Presbyterians the right to the property is disposed of by the people, because both the ministers and the elders who sit in their ecclesiastical courts are chosen by the people; with the others the right to disposal is with the bishops or their superiors again, who are not chosen by the people. I suppose the organisation of the Roman Catholic Church requires that every one should be subject to his superior.

2052. The substance of your answer I conceive to be this, that, according to your reading of the deeds under which the properties of these several bodies are held, whereas, in the case of the Presbyterian bodies to which you have referred, the majority of their assembly is the disposing body; in the case of the Roman Catholic property, it is some other authority than the majority of any assembly?—The disposing body in the Presbyterian Church may either be the General Assembly, or the majority in the congregation itself; you get it taken both ways in these model deeds; but with reference to the Roman Catholic Church it certainly does appear that the disposing authority is an authority external to the congregation.

2053. Will you produce the deeds?—Yes (*producing them*).

2054. Mr. *Bourke.*] You spoke about the Roman Catholic and Presbyterian bodies; with regard to other Episcopalian bodies than the Roman Catholics, do you know their rule with regard to property; because there are Episcopalian bodies in Scotland besides the Roman Catholics that you have not mentioned?—I do not think that they have any special model deed.

2055. When you used the words, "external authority," with regard to Roman Catholics, would they apply to the other Episcopalian Church as well as the Roman Catholic Church?—I have not sufficient information to enable me to answer that question with reference to the Episcopal Church.

2056. *Chairman.*] The other Episcopal Churches would leave a question of property to the laws of the country?—If their trusts are what we call congregational trusts, it would certainly be so.

2057. Mr. *Pease.*] You have in Scotland Wesleyan Methodists?—We have.

2058. Have you seen their model deeds for holding property for schools and chapels?—No, I have not seen any model deed of the Wesleyan body.

2059. Have you seen any of their deeds?—No.

2060. You cannot say how far they are subject to conference?—No.

2061. *Chairman.*] Can you say whether any board of charity commissioners have jurisdiction in Scotland?—I rather think not; I cannot speak positively.

2062. Do you know whether there is any corresponding authority in Scotland to the Charity Commissioners in England?—I think not.

2063. Who superintends the charities, or is answerable for the due application of charities in Scotland?—We have no board or authority specially charged with that duty.

2064. If there is any irregularity, it must come before the courts, as in any other case?—Yes; it would depend upon the parties interested to bring it before the courts.

2065. But are deeds registered there, supposing them to be Catholic deeds, involving charitable trusts?—Yes, and we have had many actions in the courts for the purpose of enforcing the due administration of charities.

2066. Every deed is registered in Scotland?—Not every deed, but every deed that imposes burdens upon the land; conditions that run with the land must enter the register.

2067. But all deeds purporting to be for charities are registered in Scotland; any person may see them, and if there is any misapplication of the trust, any person interested may proceed and bring the case before the courts?—I believe, in practice, every deed constituting a trust is registered; and every person having interest is entitled to bring it before the court to see to the due administration.

2068. Do you know any deeds that are registered having Catholic objects in view?—What I have given you are deeds of that nature.

2069. Those deeds that you have referred to do

do not avow the purpose for which the property has been assigned?—Some of them do; others do not. The first deed that I quoted, the deed with reference to Smyllam Park, makes special reference to the purposes.

2070. Those trusts are not considered illegal in Scotland, are they?—I have not seen anything in any of those trusts that I am prepared to say is illegal.

2071. There is no objection to registering them?—No; the registrar takes in every deed, and records it without regard to its contents.

2072. You never heard of one being disputed on account of the purpose for which it was created?—No.

2073. The laws of mortmain apply in Scotland, I suppose, as they do in England?—No.

2074. What have you to correspond to that; you do not allow land to be held in perpetuity, do you, in Scotland?—I do not know anything to the contrary.

2075. Land can be left to be held in trust for a religious purpose for ever in Scotland?—Yes.

2076. Mr. *O'Reilly.*] Is there any difference in law with regard to the position of Roman Catholics, as far as these properties held for Roman Catholic uses or Roman Catholic trusts are concerned, from any other religious body in Scotland?—There is nothing that I know to prevent a Roman Catholic congregation from holding its property in precisely the same way as any other dissenting body; there is no exceptional law that I know.

2077. Then the differences that you wish to point out between their trust-deeds and those of certain Presbyterian bodies that you have enumerated, are not differences in law, but differences in the terms of the contract, as I understand from you, which their trusts create from those trusts voluntarily created by Presbyterian deeds?—That is so, arising both from the terms of the deeds themselves, and, from what I understand to be the fact, that Roman Catholic congregations do not exercise any power of direction and control over the ecclesiastical property of the Church.

2078. Is that statement of yours derived from any knowledge you have got on the subject, or from an impression on your part?—Well, it appears very clearly in some of the deeds.

2079. I refer to the latter part of your answer. You have mentioned two things, first, the difference in the deeds, and then you went on to state something which is your impression as to the Roman Catholic practice. I want to know how far that is knowledge, or whether it is merely opinion?—It is part of the general impression that I have that the organisation of the Roman Catholic church places the control of the property with the ecclesiastics.

2080. But you are not prepared to state your authority for that statement; it is only your impression?—It is my impression, and I have seen nothing in any of these deeds to the contrary; I know of nothing to the contrary.

2081. You said that in the Presbyterian deeds which you have quoted, in case of any dispute arising regarding the trust, it would be determined by the decision of the highest voluntary ecclesiastical court of that denomination of Presbyterians, did you not?—I rather think that you misunderstood me a little in regard to that. What I meant to say was, that the property would follow the decision of the Supreme Court. The court itself would not sit as a court to dispose of the question of property.

2082. I understand that the deed creates a contract to abide by the decision of that voluntary ecclesiastical court?—The highest ecclesiastical court having given its judgment upon any matter connected with the Church, if a minority dissented from that and left the Church, the property would remain with those who adhered to the decision of the Ecclesiastical Court. But that, of course, would not be delivered with regard to a question of property, but merely with reference to the particular subject that was under discussion.

2083. Now, leaving out your impression as to the different constitution of voluntary ecclesiastical authorities in the Roman Catholic Church and in the different Presbyterian Churches, is there anything in the Roman Catholic trust-deeds which you have mentioned to show that a decision on such a case would not be left to the analogous body, that is, to the highest voluntary ecclesiastical court of the Roman Catholic Church, whatever that may be?—The deeds, of which I have produced excerpts, in which special reference is made to that matter, seem to put it solely with the bishop.

2084. Are you, or are you not, prepared to say that, in the case mentioned, it would be the highest voluntary ecclesiastical tribunal in the Roman Catholic body?—I cannot say that I am sufficiently acquainted with the constitution of the Roman Catholic Church to say that it would be so; there might be an appeal from the decision of the bishop to some other authority.

2085. Then assuming (which I do not admit) that your statement of the management and government of the Roman Catholic Church and of the Presbyterians is correct, does not the difference simply amount to this, that in the case of a dispute arising in the Presbyterian body, it would be decided by what is their highest voluntary ecclesiastical authority, which is, as I gather from you, substantially a majority; and in the case of the Roman Catholic body, by what is their highest voluntary ecclesiastical authority, which happens not to be the majority of the congregation?—The difference which I wished to express was this, that in the one particular case, in the case of the Presbyterians, the decision that would attach to the property will be either that of the majority of the General Assembly or synod, or the majority of the congregation, as the deed itself may have provided; that is, under the model deeds, I should say; because, under the trusts in their previous forms, the courts have held that principle was the determining point, and that any departure, however slight, from principle involved a loss of the property even to the majority; that a minority, no matter how small, could vindicate its rights as against the majority, if there was the slightest divergence from the principles of the body.

2086. Mr. *Jessel.*] That is to say, the courts of law in Scotland enforce the trusts on which the property was held?—Yes; that would equally apply to all deeds which had not a special provision, providing some other mode for settling disputes. In the Free Church model deed, and also in the Reformed Presbyterian deed, there is provision made for the case where a minority of a certain amount shall declare that they held the principles more clearly than the majority;

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majority; this provision in the Free Church deed is in these terms: "It is hereby specially provided and declared, that if, at any time hereafter, one-third of the whole ordained ministers, having the charge of congregations of the said body, or united body of Christians, or any larger number of the said ordained ministers, having charges as aforesaid, shall simultaneously, or within a consecutive period not exceeding three calendar months, not only publicly separate from the said body or united body of Christians, but at the same time publicly claim and profess to hold, truly and in *bonâ fide*, the principles of the protest of 18th May 1843, hereinbefore recited, and to be carrying out the objects of the said protest more faithfully than the majority of the ministers of the said body, or united body of Christians, and shall unite in forming one body of Christians, having kirk sessions presbyteries, provincial synods, and a general assembly, then, and in that case, and anything herein to the contrary notwithstanding, it shall be competent to, and in the power of a majority of the congregation, in the use, occupation, and enjoyment of the said building or place of worship for the time, to provide and declare, by a deed of declaration and appointment under their hands, to that effect duly executed, that the ground hereby disposed, and building or place of worship then upon the same, shall, from thenceforward, be held as in connection with the body of Christians adhering to the ministers who shall have separated as aforesaid;" that exception shows the rule that I have been referring to.

2087. Mr. *O'Reilly.*] Mr. Newdegate asked you whether these trusts were not subject to the decision of an authority external to the United Kingdom; am I right in understanding that you did not consider that they were subject to the decision of an authority external to the United Kingdom?—My answer is, that the bishop seems to be the controlling power in those cases; and if the bishop is subject to some other authority, that authority may be out of the United Kingdom for anything that I know.

2088. But is there anything in the trust-deeds conveying any authority to any person out of the United Kingdom? — There is nothing in the trust deeds declaring the powers of the bishops' superiors.

2089. You have given us a great deal of information with regard to institutions at Lanark and in Glasgow as to their valuation; first, you mentioned the Vincentian Fathers and the Sisters of Charity; what is that institution at Smyllum-park? — Smyllum-park is stated to be an orphanage.

2090. Do you know how many orphans are kept there?—I know nothing in regard to it, except what is stated in the Catholic Directory, and in the report which I quoted.

2091. Will you tell me how many orphans there are from similar authority?—In the Directory I do not see it stated what number of orphans they have, but they state that they have accommodation for 250 orphans; the number actually there, I do not know.

2092. They take orphans who are sent to them by the parochial boards, do they not?—I know nothing of their internal arrangements at all.

2093. As you quoted their report, you may quote it for one matter as much as for another, I presume?—Certainly, as I find it stated, and I have no reason to suppose but that the state ments are true; I see from the report that they have, as they say, more than 200 children, o whom 146 are paid for, 22 only partially so and for the remaining 45 they receive nothing I quote from page 5 of the fifth annual report.

2094. They have also got a hospital, I think you mentioned, of which you gave us the valua tion?—The hospital stands upon a separate pro perty from the orphanage.

2095. Do you know how many beds for the sick that hospital contains?—I do not.

2096. Will you look to page 132 of the book that you quoted from, namely, the Scotch Direc tory?—At page 132 I find it stated that the hos pital contains 20 beds.

2097. Then the next thing, I think, which you mentioned is property which you stated belong to Jesuits in Glasgow?—Yes.

2098. There is a school there on part of it; school of the value of 150*l.* a year?—Yes.

2099. Do you know anything of that; it i really a school, I suppose?—Yes.

2100. You do not know how many boys ar taught there?—I do not.

2101. From your knowledge of Glasgow you would not be surprised, probably, if you hear that, including externs, 500 or 600 boys ar educated there?—I would be rather surprised but I have no means of forming an opinion.

2102. Then there is a chapel which is value at 80*l.* a year?—Yes.

2103. That, I suppose, is for public worship —I presume so.

2104. The Chairman asked you whether Ca tholic trusts were legal in Scotland; and, I think you said that they were, for Catholic cha ritable purposes?—I know of no rule, in regar to Catholic trusts different from the trusts of an other religious denomination; of course, whethe they are legal or not, would depend upon thei nature.

2105. You think that there is no special law i Scotland against them; is there no law in Scot land, then, against religious men, or men boun by vows; you know that the Emancipation Ac does, in fact, extend to the United Kingdom?— Yes; I know of no difference between the law of Scotland and England on the subject; what ever applies to one applies to the other; there i no special Scotch law.

2106. But the law against religious men boun by vows does extend to Scotland, I presume; th Emancipation Act, I mean?—Well, I under stand so.

2107. And it would therefore make any trus for their use illegal, would it not, in Scotland just as much as in England?—It would. If yo assume that monasteries are illegal, a trust fo that purpose would of course be illegal.

2108. Does the Statute of Superstitious Use extend to Scotland?—I am not prepared t answer the question; I have not had my atten tion directed to that.

2109. Have you any law in Scotland analogou to the Statute of Superstitious Uses in England —I should think so, but I am not in a position t quote it at this moment.

2110. *Chairman.*] You never heard of any cas arising on that matter in Scotland?—I cannc charge my memory at this moment.

2111. You know of no trust declared void o account of the purpose being stated in the deed —I ar

—I am not prepared to state a case at this moment.

2112. Mr. *Matthews.*] You have told us about a great many institutions; were you solicitor to the Vincentian Fathers, or the Marist Fathers?—I was employed in the preparation of the title to the property in Cumberland-street, which is entered in the valuation roll as the Franciscan Friary.

2113. That is the only case in which you were personally concerned in registering the property?—The only case.

2114. Have you had any communication with the members of these institutions, so as to acquire any personal knowledge about their affairs?—None. The evidence that I have given is wholly confined to what appears upon the public registers.

2115. Is anybody in Scotland entitled to go and procure these copies that you have been good enough to bring here, on paying the necessary fee?—Any one.

2116. Is any one entitled to get a copy of the valuation roll?—Any one.

2117. They are all public documents?—Yes.

2118. Have you searched these registers and valuation rolls, with a view to this inquiry?—I have.

2119. Were you instructed by anybody to do so?—I was; at least, I was asked to take the trouble to do so.

2120. Will you say who was your client?—I cannot say that it was a client. I was asked by a friend who takes a particular interest in these matters.

2121. Is there any objection to our knowing his name?—He is a gentleman in Glasgow; a personal friend of my own.

2122. I do not want to know any names, but I want to know whether the information has been obtained merely with a view to this inquiry, or for some other ulterior purpose?—Merely with a view to this inquiry.

2123. At the instance of some gentleman who takes an interest in the subject, and who is desirous to inform the Committee?—Yes.

2124. Then, may I ask when you began to get up the information?—Within the last 14 days; I cannot tell you precisely; a comparatively short time ago.

2125. Were you told what institution to look for in the registers and valuation rolls?—I was told of course that it was information desired by this Committee. I knew from the newspapers what this Committee was appointed for, and I directed my inquiries accordingly. I sent and bought a copy of the Catholic Directory, and then made inquiries.

2126. You went to the registers and the valuation rolls?—Yes.

2127. Any ingenious person might have done the same thing; you had no special knowledge?—No special knowledge.

2128. You had no knowledge about the dealings with the property beyond what appears in the register of deeds?—Nothing beyond what appears upon the register of deeds and the valuation roll; and also, I may say, from the Dean of Guild Court proceedings, a court having charge of all matters connected with the erection of property within the municipality of Glasgow.

2129. Because I observe that in almost every instance, the proprietor and occupier stated in the valuation roll are roughly stated, inaccurately stated?—I am not prepared to say so.

2130. For instance, what appears in the valution roll to be owned by "Franciscan Convent, per James Connelly," appears by the deeds to be vested in the Right Rev. Dr. John Murdoch, Roman Catholic bishop and vicar apostolic, the Right Rev. Dr. Smith, another Roman Catholic bishop, and a number of Roman Catholic clergymen; is that not so?—Yes; but I presume that the property will be occupied in terms of the trust under which these gentlemen hold the property.

2131. They are declared to hold "in trust for the educational purposes of the Roman Catholic congregation in connection with the Church of St. Andrew, Great Clyde-street, Glasgow; and in particular, they should so hold the said subjects for a schoolhouse or schoolhouses, either or both, or for any other purpose in connection with the educational purposes aforesaid"?—Yes.

2132. It is clear that there the valuation roll is wrong, is it not?—I do not admit that.

2133. It is contradicted by the deed that you yourself have produced?—I think not.

2134. Do you regard these two vicars-apostolic and these clergymen as being the "Franciscan Convent" among them?—No.

2135. How do you interpret the words, "Franciscan Convent"?—I do not interpret the words, "Franciscan Convent"; but I presume that these gentlemen who are vested as trustees in this property, regard the use now being made of this convent by the Franciscans as sanctioned by the terms of the trust under which they hold it.

2136. Do you happen to know that at that convent there is a large school?—Yes.

2137. And that the gentlemen who among them are said to own the premises, including James Connelly, are the schoolmasters of the school; do you happen to know that?—I do not know anything specially in regard to that school.

2138. What is there inconsistent in the trust, with two bishops and a number of others as trustees for the educational purposes of the congregation, if you find James Connelly and others living and teaching there?—I do not say that there is anything inconsistent; you put it that there is an inconsistency.

2139. They are shown by the deed not to be the proprietors; and yet it appears that they are the schoolmasters teaching there?—There may be another deed subsequent to this.

2140. Have you found that?—No; but it appears to me that there is nothing in this deed to prevent the use of this property for the purposes of a Franciscan convent, if the gentlemen who are trustees deem that to be the proper use to make of it under the trust. I wish to call your attention, in vindication of what I stated, to the second purpose of the deed, which provides that "The said trustees for the time should have the most full and ample powers in the use and management of the said subjects, for behoof foresaid, without control or right of interference in any way by any individual or individuals."

2141. Mr. *Jessel.*] Suppose they turn the place into a tavern, do you mean to say that the Scotch courts would not interfere under those trusts?—The difficulty would be to find the person who had the interest, and the right to challenge; you will find powers of selling and of disposing of the property in these terms: "It should not be lawful to, nor in the powers of the said trustees, except

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with the consent and approbation of the said Right Reverend Doctor John Murdoch, or of the Roman Catholic bishop, or vicar apostolic for the time in the said Western district of Scotland, or other district or division within which the said congregation might for the time be situated, to sell or dispose the aforesaid subjects or any part thereof, or to burden or contract debt upon the same, but it should be lawful for the said trustees for the time, with such consent and approbation, to do any of the said acts, the price or prices or sums borrowed being to be applied or used by the said trustees for the time in such way and manner as the said Right Reverend Doctor John Murdoch, or the said Roman Catholic bishop or vicar apostolic for the time, might direct; but with which application or use, purchasers or lenders should have no concern."

2142. Mr. *Matthews.*] Surely that is only the mode of investment of the proceeds of a sale; they may be invested as the vicar apostolic may direct, but the trust would apply to the fund arising from the sale in like manner?—It does not seem to be limited to a mere form of investment; "being to be applied or used" (it is not "invested") "by the said trustees for the time in such way and manner as the said Right Reverend Doctor John Murdock, or the said Roman Catholic Bishop or vicar apostolic for the time might direct;" there is no limitation there.

2143. But do you find the slightest trace that that clause has been acted upon, and the property has been sold?—I know nothing but what is in the deeds.

2144. You produce that as the only deed which you have found relating to that property?—The only deed which I have found relating to that property.

2145. If there had been a sale under that power, you would find that sale?—Providing that the deed had been recorded.

2146. Take another example: take what you call, and what the valuation calls, property belonging to the Rev. Eugene Small, the tenant being stated to be the Marist Brothers. The deed of that, as found at Question 1899, shows that the trustees are again two bishops and three or four Roman Catholic clergymen, and they hold the property "in trust for the religious and educational purposes, either or both, of the Roman Catholic Congregation of St. Mungo's aforesaid; secondly, that the said trustees for the time, and the survivors and survivor of them, shall have full power and discretion in the use and management." There again, what is there on the deed to show that the Marist Brothers have the slightest interest in that property, except simply as schoolmasters in the school established upon it?—The second purpose of the trust there is, "that the said trustees for the time, and the survivors and survivor of them, shall have full power and discretion in the use and management of the said subjects for the purposes aforesaid, without control or interference by any individual or individuals whomsoever."

2147. Do you mean to cite that as showing that they might hand it over, or have handed it over, to the Marist Brothers?—In point of fact the Marist Brothers are in possession of the property, but I do not state that the Marist Brothers are the proprietors of it.

2148. Then from what you know, the Marist Brothers have not the slightest interest in that property beyond being there to teach?—My evidence is, that the valuation roll shows that the Marist Brothers are the tenants or occupiers of this place, not the proprietors.

2149. Are you aware that there is a large church mission, and that there are large poor schools in that very place, St. Mungo's?—Yes.

2150. In which schools the Marist Brothers teach?—Yes.

2151. But then you must have schoolmasters of some sort?—Yes.

2152. Would you assume that the schoolmasters were the proprietors, or had any right beyond permissive occupancy?—I did not state that the Marist Brothers were owners; I have no right to assume that the Marist Brothers have any right beyond what is disclosed by the valuation roll.

2153. You have 120,000 Irish in Glasgow, have you not?—A large number.

2154. And some provision of this sort is necessary for the mission work and the teaching? It is necessary that there should be some provision for the teaching; I do not know what you mean by mission work.

2155. The saying of mass, and for public worship?—That may be quite right.

2156. And these deeds are the titles under which the churches and chapels are held?—Some of them, and some apply to the monastic institutions.

2157. Mr. *Jessel.*] Can you point out to us any deeds, of all those which you have mentioned, which contain a trust for any monastic order?—I do not know that you can find such a trust expressed in words; but that these trusts are used for that purpose I think there is little doubt.

2158. You say "used for that purpose;" do you know anything beyond this, that you found persons called "Franciscans, or Marists, or Jurists, or something of that kind, who are occupiers of houses used for educational purposes, and who are returned as occupiers; the deeds of trust showing that those houses are devoted to educational purposes?—Yes; I found more than that; I have already referred to the Dean of Guild Court, where plans of buildings proposed to be erected in Glasgow have to be lodged; and I can show from one of these plans that one of these buildings, which I have had an opportunity of looking at particularly, was intended for other purposes than teaching. It is erected on the ground acquired under the last deed that was put in. There is no doubt that the reference in the deed to the object of the trust would lead to connection with parish work, but you find that on that property there is provision made for what is described in the Catholic Directory as "a regular friary."

2159. Mr. *Matthews.*] The trustees are described as the trustees for behoof of the Roman Catholic congregation of St. Francis, Glasgow?—Yes.

2160. It is agreed between the vendors "and the Most Reverend Charles Eyre, Archbishop of the Romon Catholic Church in Scotland; the Right Reverend John Gray, Bishop of the Roman Catholic Church in the western district of Scotland; and the Very Reverend Livin Anthony Emmanuel Kenners, parish priest of St. Francis Roman Catholic parish, Glasgow, as trustees for behoof of the Roman Catholic congregation of St. Francis, Glasgow, on the second part, in manner following; that is to say, the said first party,

arty, in consideration of the feu duty," and so on, "all and whole that plot and area of ground" which is there described, "to and in favour of the said Most Reverend Charles Eyre, the said Right Reverend John Gray, and the said Very Reverend Livin Anthony Emmanuel Kenners, and their respective successors, in their respective offices of archbishop, bishop, and parish priest foresaid, as trustees foresaid, and their assignees and disponees whomsoever, heritably and irredeemably." What is there in that that does not show conclusively that it is a mere parochial trust, a missionary trust?—I refer the Committee to page 75 of the Catholic Directory, where the building erected upon the property of which this is the title, is thus described: "The Franciscan Recollect Fathers, from Belgium, having secured, last year, a suitable plot of land in Cumberland-street, South-side, have succeeded in creating a regular friary, in the old style proper to their order. The building, of a severe Gothic character, has been designed by Gilbert Blount, of London; it consists of two wings, each 80 feet long, and these are connected on the east by the chapter-room and cloister, on the west by a cloister; the whole range of building extends on the east side to the length of 140 feet; the north wing chapter-room and cloisters are used as a temporary chapel, and give accommodation to 900 persons. These premises were solemnly opened on the 11th of July by his Grace the Most Reverend Dr. Eyre, archbishop, &c., assisted by a large number of clergy, secular and regular, and an immense concourse of people. The south wing is occupied by the members of the community, and also affords accommodation for retreats for a limited number of gentlemen. The object of the Franciscan Fathers is to take charge of the parish, assist other priests in their duties, give missions and retreats, and carry out the prescriptions of their holy rule." That is the statement given by the Catholics themselves.

2161. I do not think you read the first sentence, which is, "Day, night, and Sunday schools have also been opened; average 300"?—That is a separate paragraph.

2162. It does appear there that there are Catholic schools, and that the object of these fathers is to take charge of the parish?—To assist the regular priests; to "assist other priests in their duties."

2163. Do you know anybody else who is in charge of the parish except the gentlemen who may happen to be occupying that house?—I know that there is a Catholic chapel on the south side, and not very far from this particular site.

2164. Mr. *Jessel.*] "All and whole that plot or area of ground containing 7,666 square yards and six square feet or thereby, imperial measure," and then comes the boundary?—The property was not built at the time that deed was drawn. But here are the plans of the property now constructed (*producing them*).

2165. Where did you get them from?—They are lodged in the Dean of Guild Court, with the application from the proprietor for liberty to erect these buildings.

2166. Then it appears from that application that the buildings of which you now produce a plan were erected on that site?—It does.

2167. So that the archbishop, the bishop, and the Rev. Emmanuel Kenners were the persons who erected the building?—That appears from the petition. (*The Witness explained the plan to the Committee.*)

2168. *Chairman.*] The plans were deposited because the site is within the municipality?—Yes.

2169. And they have been carried out?—Yes.

2170. There was no objection on the part of the authorities?—No objection that I know of.

2171. They had no doubt what the purpose of the building was?—The purpose of the building stated on the plan is, "Church school and dwelling-house."

2172. Mr. *Matthews.*] What is there in all this inconsistent with the trustees of this Roman Catholic congregation having thought fit to entrust the parochial work of that mission to Franciscan Fathers, or Recollect Fathers, or whatever they are called?—I do not say that there is anything inconsistent, but there is something in addition; that is to say, in addition to the regular parochial work, assuming it to be one of the objects of this body, they also contemplate, and have built this as a regular friary, and for carrying out the prescriptions of their "holy rule;" what those may be, I do not know.

2173. That you assume from the Directory?—That is what is stated by themselves, and what I assume to be correct.

2174. Now, I observe that Mr. Monteith is mentioned as a trustee in one of these deeds?—He is one of three trustees.

2175. He is a layman of considerable wealth and influence in the neighbourhood of Glasgow, is he not?—Yes.

2176. Is he not almost the only exception of a Catholic of position and fortune?—I am not sufficiently acquainted with the Roman Catholic body to say that he is almost the only one.

2177. Do you know of any other layman of fortune and position?—I do not know of any Roman Catholic of equal position to Mr. Monteith in the Glasgow district.

2178. Perhaps you will know this; is there not a very large preponderating population in Glasgow of poor Irish who are Roman Catholics, with very few Catholics of either wealth or position among them?—I should say it is so, speaking with reference to Roman Catholics alone.

2179. Does not that make the work, both of missions and of teaching, extremely difficult and onerous, inasmuch as there are few people to bear the burden?—It will increase the work, and the onerousness of it.

2180. If these people whom you describe did not assist in that work, do you think that there are means among the Roman Catholic congregation of Glasgow to carry it out?—I am not sufficiently acquainted with the Roman Catholic Church to answer the question; these institutions are of recent introduction, and there has been no sudden accession of numbers to the Roman Catholics.

2181. There has been a great immigration of Irish since the famine, has there not?—They have increased since that time.

2182. About these trust-deeds; I understood you, before the model deed were introduced, the Scotch courts had to say which of two dissident bodies in the Free Church was entitled to the possession of property devoted to the religious uses of that church?—There has been no question before the Scotch courts with reference to the property of the Free Church as yet; the

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cases to which I referred were cases mostly before the date of the Free Church.

2183. In what body do they arise; in the United Presbyterians?—In the bodies which are now connected with the United Presbyterians; mostly in connection with the bodies which have become merged in the United Presbyterians.

2184. It was in that way that the question came before the courts before these model deeds were introduced, if two branches of a congregation, or church, disputed about which was entitled to retain possession of a property devoted to religious purposes?—Not two branches of the church, but perhaps two sections of a congregation.

2185. Then the court had to decide which of the two really represented the traditional doctrines of that congregation?—That is what the court decided.

2186. And the one which did represent the traditional doctrines of that congregation was held entitled to the property?—Yes.

2187. Now, as I understand, the object of the model deeds has been to withdraw from all civil tribunals the cognizance of all doctrine?—Yes.

2188. To refer, in fact, the question of doctrine to the congregation itself, or what you call an ecclesiastical court, within the ambit of the congregation?—Yes.

2189. To withdraw therefore from the jurisdiction of the courts any inquiry into the doctrines?—To withdraw from the consideration of the courts of the country the consideration of any questions of doctrine.

2190. Mr. *Sherlock.*] You are of course discharging your professional duty in making these searches and producing these documents?—I am.

2191. May I ask whether, according to the law of Scotland, in the registration of deeds affecting property, the name of the grantor as well as the grantee, and the contents generally of the deeds, the purchase-money, and those various particulars are stated. Is it the case there with regard to registration, as it is both in Middlesex and Ireland, that certain particulars are required for the due registration of the deeds?—Yes, there must necessarily be certain particulars; there must be the grantor and the grantee, and the consideration must be expressed, in order to provide for the proper stamp duty, and the description of the subject, in order to know what property it applies to.

2192. In reference to these premises at Lanark, will you produce the deed which you have given an extract of, in answer to Question 1860, where you are asked, "Have you got that which relates to the other portion?"—I have not full copies of the other deeds. These (*pointing to them*) are full copies from the minute book, into which a short abstract of the deed is entered when it is placed in the registration office. I did not think it necessary to make full copies of all the other deeds, because having compared them, I found them substantially the same.

2193. You thought it right not to take a full copy of this "Notarial instrument in favour," and so on?—That is a full copy of the deed as it appears in the register.

2194. You did not think it necessary to take a full copy of this as you did for the Smyllum Institution?—What I hold in my hand is a complete copy.

2195. It gives the names of the grantors, and the amount of the purchase-money?—Yes.

2196. Could you tell me who was the party conveying the property, and who paid the purchase-money of this property, at Lanark, St. Mary's, Smyllum, which is some distance, I suppose, from the other property of St. Mary's?—Yes, a short distance.

2197. And separated from it?—Yes.

2198. The property at St. Mary's consists of a large church, hospital, and dwelling-house?—The property there was bought in several lots, but all contiguous; they form now one property, in possession of the same parties.

2199. Can you tell me from whom that was purchased; do you happen to know personally?—I do not know personally; I saw the name, but I did not take any notice of it; I thought the name of the seller was of no consequence.

2200. Do you happen to know that this property was paid for by Mr. Monteith, of Carstairs?—I think I did observe, speaking from recollection, that one of the properties had been previously in the possession of Mr. Monteith before it was made over to these trustees.

2201. And you ascertained that Mr. Monteith had conveyed this property voluntarily for this purpose; but you did not think it necessary that that should appear. That document, in fact, does not give us the same information with regard to St. Mary's that the other document does with regard to the Smyllum Institution?—It is a complete copy of what is in the Minute Book. It is sufficient to identify the entry with the particular deed, that is all.

2202. I want to ascertain from you whether you are not aware that Mr. Monteith had himself conveyed a portion of this property for this purpose, and had done so with the view of establishing this institution there?—I say that according to my recollection it is so.

2203. You spoke of this property having cost about 18,000*l.*?—That is the building.

2204. Is that your own estimate?—It is partly my own estimate, and it is partly the result of the information which I received in the locality.

2205. May I ask from whom did you inquire in the locality?—I was in communication in the locality with a gentleman, who acted for a considerable time as the assessor and valuator of the property under the Valuation Act; the gentleman who held the same official position in Lanark as the previous witness did in Perth.

2206. Did you happen to inquire at the institution itself?—I did not.

2207. Did you happen to inquire of Mr. Monteith who lived at Carstairs?—No.

2208. Whatever may have been the expense of erecting the church and buildings there, you do not know who contributed it?—I do not.

2209. Did you ever hear that it was contributed by Mr. Monteith?—That is publicly stated; it is understood that Mr. Monteith has been a very good friend of the Roman Catholic Church there, and I know that a very considerable effort was made to raise money by lotteries, either for the church, or for the orphanage, I am not sure which.

2210. Have you been in the hospital at Lanark?—I was not inside any of the buildings.

2211. Then of course you were not inside the Smyllum Institution either?—No.

2212. This party to whom you have referred merely said that the money thus expended, amounting

amounting to 18,000 *l.*, was the property of this congregation; but however, from the explanation, and from what is notoriously a fact known to the public there, it appears that that money was the very munificent gift of Mr. Monteith?—That is quite understood by the public, but I have no information in regard to it.

2213. Mr. *Jessel.*] Do you know whether, by the law of Scotland, a conveyance in trust for the benefit of the congregation of a particular parish without more, is a valid charitable trust?—I would think so.

2214. How would that be executed; for what purposes would that land be applicable?—May I ask whether you were speaking of the case of property acquired for a particular purpose?

2215. My question was this: a conveyance of property to trustees, in trust for the benefit of the congregation of a particular parish without more, would that be, according to the law of Scotland, a valid charitable trust?—It is certainly very indefinite; I would not be quite prepared to say that it would.

2216. Would you look at this document, to which you were referring just now; can you find anything in that except these words: "as trustees for behoof of the Roman Catholic congregation of St. Francis, of Glasgow;" would that make a valid charitable trust?—It makes a valid trust; but I understood you that you were speaking with reference to the powers of the congregation in dealing with the trustees. Now, I do not know to what extent it would constitute a right in any member of the congregation to require the trustees to follow any particular course of conduct with reference to the property.

2217. I see this is an excerpt from the feu contract?—Yes.

2218. Have you any copy of the conveyance itself?—I have not.

2219. You did not look for it?—Well, I knew that we had not a copy, and, therefore, I did not think it necessary to look for it. The practice with us is that a feu contract is prepared by the agent of the grantor, therefore he keeps the draft; so that I knew it was not with me.

2220. Would nothing more be registered than this, which is contained in this excerpt?—Yes, certainly; that is a mere excerpt from the deed.

2221. Mr. *Matthews.*] I thought that professed to be the whole deed?—No; it gives the names of the grantor and grantee, and the description of the property, with any indication of a trust which the deed contains.

2222. Mr. *Jessel.*] But there would be of course a full copy of the conveyance somewhere?—Yes.

2223. In the Register of Sasines, I suppose?—Yes.

2224. Did you look to see what the trusts were?—I looked to see that there were no purposes of trusts beyond what is stated in that excerpt.

2225. There is nothing more stated?—Nothing more in the way of trust.

2226. Would a mere description of the parties, and a conveyance to those parties as trustees foresaid, make a valid trust according to the law of Scotland to that congregation?—The property would be validly conveyed to the trustees; but to what extent it would create an interest in the members of the congregation, as against the trustees, I am not prepared to state.

2227. *Chairman.*] Does it create a trust at all?—It must be a trust.

2228. Mr. *Jessel.*] It would not be a valid trust unless some one could enforce it; I ask, could the congregation enforce it against the trustees?—That would be a question entirely dependent upon the facts of the case as between the members of the congregation and the gentlemen in whom this property is vested. If they claimed the benefit of this trust, they would require to establish the circumstances upon which they allege their interest in it to stand.

2229. Do you mean to tell me this, that if parties accept a conveyance according to the law of Scotland, as trustees for others, the *onus probandi* is on the others to establish the trust?—The trust appears *ex facie* of the deed.

2230. There is a trust to those persons "as trustees for behoof of the Roman Catholic congregation of St. Francis, Glasgow"?—The measure of the trust the parties founding upon the deed would require to establish.

2231. But the whole property is conveyed to such trustees as foresaid; supposing that you convey property to A., B., C., "as trustees for the Roman Catholic congregation of St. Francis, Glasgow," would not that create a trust?—No doubt.

2232. If that is a trust, could not the members of the congregation enforce it?—It would depend upon what power the members of a congregation have in regard to ecclesiastical property in a question with their ecclesiastical superiors; and in regard to that I have not sufficient information as to the constitution of the Roman Catholic Church to give an answer.

2233. Mr. *Matthews.*] Is there nothing in the deed to show that it is for the religious purposes of the congregation?—Nothing but what is stated in that excerpt.

2234. Are you sure?—I am sure.

2235. Is there no recital that it is for the religious purposes of the congregation?—No; I believe that the congregation was not in existence till this deed was granted.

2236. Mr. *Jessel.*] Do you consider that a trust for a Roman Catholic congregation is or is not a charitable gift in trust for the religious wants of that congregation?—I have some difficulty in the word "charitable."

2237. There is a trust for a body which would be called a religious body, I suppose, namely, the Roman Catholic congregation; would that trust, according to the law of Scotland, be a trust for religious purposes or not?—I think that it would be regarded as a trust for religious purposes.

2238. Exclusively?—It would depend upon the relationship between the parties.

2239. The phrase, "trust for the congregation," may mean two things; it may mean either a trust for the congregation as Roman Catholic, that is, for religious purposes; or it may mean a trust for the individuals of that congregation which happens to be Roman Catholic; it might be for the sick or poor, or anything else, and it would still be charitable, would it not?—I do not quite follow the question.

2240. You see that they are only trustees for "behoof of the Roman Catholic congregation of St. Francis, Glasgow"?—Yes.

2241. What does that mean?—I say I cannot tell precisely what that means, because I do not know the relationship which exists between the members

Mr. *Robertson.*

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members of a Roman Catholic congregation and their ecclesiastics.

2242. Suppose it was in trust "for the United Presbyterian congregation of St. Francis, Glasgow," then what would happen, according to the law of Scotland? — Then, in that case, what would happen would be this: the court would ascertain, from the published documents of the Church, what are the principles of the Church; and in the event of a question arising between the members as to the right to the property, that party would be found entitled to the property which adhered most closely to the original terms of the contract under which the property was acquired.

2243. Supposing that there is no contract, but that it is the donation of an individual, and assume, further, that the one party or the other wished to apply the property to some purpose not immediately connected with the religion of the United Presbyterians; would the court allow that?—I think not.

2244. That is, you would read, a trust "for the congregation of United Presbyterians," in such a parish, as being a trust for religious purposes in connection with the religion of that congregation?—Yes; and to be administered according to what the court may find to be the contract on which the particular congregation was constituted.

2245. Under such a trust as that, without more, could you apply the property for the purpose of schools, say, for members of that congregation?—The opinion that I ventured to express in regard to Roman Catholic trusts was this, that these trusts seem to place the application of the property in the hands of the ecclesiastics, they being an external authority, there being no trace either in the deeds, or, so far as I know, in the practice of the Roman Catholic Church of a right in the laity to a voice in the management of its ecclesiastical property.

2246. If you conveyed property to those persons as trustees for the Presbyterian congregation of a parish, would or would not the property be exclusively devoted to religious purposes?—Yes, it would, I think.

2247. Is there any reason for supposing that a different interpretation would be put on a conveyance when it was for the benefit of a Roman Catholic congregation in a certain parish?—The difference exists in the difference of fact between what are the rights of the laity in the Roman Catholic Church and the rights of the laity in the Presbyterian Church.

2248. Allow me to recall your attention to the the question; what have the rights of the laity got to do with the purposes, whether they are religious or lay?—You put a particular case which is very indefinite; in the case put the court would require to find out the intention of the parties, and if it should appear that neither by special provision nor in point of fact the laity had any power of control as to the disposal or management of ecclesiastical property in the Roman Catholic Church, the court would not, I should think, create a new contract for them, and give them such a right of control over the ecclesiastical property as the rules and the practice of the Church did not allow.

2249. You are speaking of the right of enforcing a trust as distinguished from the existence of a trust. If the trust is a trust for religious purposes, it may be that a member of the congregation could not in certain cases enforce it, because the right to enforce it might be in other hands; but assuming it to be an enforceable trust at all, the question I ask you is, whether it would be confined to religious purposes in connection with that congregation?—I must still answer that in this way, that I think the court would be guided in their judgment by what should be found to be the relative rights of the parties under the constitution of the Church; I do not know that I can give any other answer.

2250. Let me put it to you in another way: suppose that you have a trust for any congregation at all of any parish, what meaning should you attach to that, would it be to supply the religious wants of that congregation, or to supply the material wants of the congregation?—The question is so wide that I could scarcely, I think, answer it in the form in which it is put; I would reason in this way, that the court in construing such a trust would have regard to the relative rights of the parties under the constitution of the Church or congregation.

2251. What sort of rights?—Take this case: supposing that in a Presbyterian church, under such deeds as those which I have produced today, the management of the property is entirely with the people.

2252. I have nothing to do with management, you know; I am asking you to what purposes the property would be applicable, not who shall apply it; let me put it to you in another way; could it be used for any purpose but a religious purpose in connection with the congregation?—I do not know sufficient of the constitution of the Roman Catholic Church to answer that question.

2253. Mr. *Newdegate.*] You have heard, and you have spoken of the "parish of St. Francis"?—Yes.

2254. Is that a parish recognised by the law of Scotland?—It is not.

2255. It is a purely Roman Catholic definition?—Yes.

2256. Made by the same authority which has constituted its establishment?—Well, I presume so.

2257. It is purely Roman Catholic?—That is what I mean, that it is entirely a matter of Roman Catholic jurisdiction; it is not a civil matter.

2258. You have heard the term "congregation," and you have been questioned about the congregation; and "the congregation," and this "parish of St. Francis," have been put before you as identical; the word "parish" has a Roman Catholic definition; has not, in your opinion, the word "congregation" also a Roman Catholic definition?—Entirely.

2259. Are you aware that there are societies extending throughout Europe all comprehended in the Roman Catholic sense under the term congregation?—I have heard it so stated, but I have no special knowledge.

2260. Have you also heard it stated that these congregations have various purposes, and various objects, all considered by them religious?—I do not know what a Roman Catholic might consider religious purposes; he might consider something as a religious purpose which I should not.

2261. Then I understand you that the term "parish," as applied to those districts around the establishment about which you have been giving evidence, is a Roman Catholic term?—Yes, it is a Roman Catholic parish.

2262. Do you not believe that the term congregation

gregation has also a Roman Catholic sense peculiar to itself, just as the word parish has, upon which my previous question rested?—That is so. What I endeavoured to bring out was just this: that the court would endeavour to find what a Roman Catholic congregation was, and what were its rights in a question with its ecclesiastical superiors, and they would dispose of the property accordingly.

2263. Mr. *Sherlock.*] Do you not know that by a parish is meant a certain portion of land within certain limits?—The common meaning of "parish" is just a certain district of country.

2264. Have you any doubt upon your own mind that the word "congregation," taken in connection with the word "parish," means the inhabitants of that particular locality?—Speaking of that as a Roman Catholic term, I cannot undertake to say.

2265. I ask you, have you any doubt in your own mind?—I have no knowledge of what is the precise meaning attached to that term in the Roman Catholic Church.

2266. *Chairman.*] Is the parochial division for Roman Catholic purposes the same as that for civil and Protestant purposes?—No, it is not.

2267. Mr. *Sherlock.*] Have you any doubt upon your own mind that in this particular instrument the word "congregation," taken in connection with the word "parish," means the inhabitants of that particular district referred to as the Roman Catholic parish?—I could not answer that question otherwise than by saying that the terms here must be used in the Roman Catholic sense, and what that sense is I do not know.

2268. I asked you whether you had any doubt upon your own mind; can you say whether you have any doubt or not that in this particular instrument the congregation means the inhabitants of that locality?—I have no information to enable me to form an opinion.

2269. You have formed no opinion?—Not upon that point, at all.

2270. Mr. *Matthews.*] If I left you land as trustee "for the Presbyterian congregation of St. Francis, Glasgow," should you think yourself justified in selling that land and dividing the price among all those who dwelt in the parish?—I think not.

2271. Would you think yourself justified in founding with the money a school for teaching the United Presbyterian religion?—In the case of money left in the very vague terms which you gave, I should suppose that very much was left in the discretion of the trustee.

2272. Would you think yourself justified in founding out of the proceeds of land left to you as trustee of the "United Presbyterian Congregation of St. Francis, Glasgow," a school for teaching the United Presbyterian religion to the inhabitants of that parish?—Not as we understand a school, because a school and a church with us are very different things.

2273. Would you feel yourself justified, under those circumstances, in founding a school for teaching United Presbyterian doctrines to the children of United Presbyterians who had lived in the parish of St. Francis?—I would say it was very doubtful.

2274. You are not clear that it would not be lawful?—We have nothing quite analogous to what you put. You are speaking of Presbyterian practice which I happen to know.

2275. You have no such thing as a school for teaching religion?—Not in that sense.

2276. Would you think yourself justified in founding a church for the purposes of worship for the United Presbyterians living in the parish of St. Francis?—I should think that there would be no difficulty in that.

2277. You are quite clear that an application of the revenue for the purposes of worship, would be a lawful administration of the trust?—I should think so.

2278. You have doubt about an educational application, because you have no such thing as a religious education among the United Presbyterians?—We have such a thing, but not in the sense in which you put it.

Mr. Alfred Smee, called in; and Examined.

2279. Mr. *Newdegate.*] I think you are the Medical Officer of the Bank of England?—I am.

2280. And also a member of several societies?—A Fellow of the Royal Society, and Fellow of the Royal College of Surgeons.

2281. I think in 1864 you prepared a petition, which was presented to the House of Commons, with respect to some circumstances connected with the life, illness, death, and burial of a connection of yours, the Rev. Mr. Hutchison?—I did; of William Hutchison, called by the Oratory, Anthony Hutchison, and upon his tombstone, William Anthony Hutchison. I always state these matters, that hereafter his true name may be known.

Tuesday, 28th June 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. Cogan.
Mr. George Gregory.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Mr. O'Reilly.
Sir John Ogilvy.
Mr. Pemberton.
Mr. Sherlock.
Mr. John G. Talbot.

THE HONOURABLE ROBERT BOURKE, IN THE CHAIR.

Mr. ALFRED SMEE, re-called; and further Examined.

Mr. *Smee.* 28 June 1870.

2282. Mr. *Newdegate.*] SINCE your last evidence was given, a question has arisen as to whether the Oratorians are a religious society in the sense which I will read to you, and I will then ask you whether you have any evidence to give to the effect that they are so; this Committee is appointed "to inquire into the state of the law respecting conventual and monastic institutions or societies in Great Britain, and into the terms upon which income, property, and estates belonging to such institutions or societies, or to members thereof, are respectively received, held, or possessed;" and by a resolution, which the Committee has adopted, I am bound to examine you, in the first instance, as to the Oratorian Society; do you consider that society to be a community possessing any common property?—I consider it to be a monastic institution having common property.

2283. And you are prepared to produce evidence to that effect?—Most certainly.

2284. That point was touched upon in the trial to which you were a party, namely, the trial of Smee *versus* Knox, and others; and I have a copy here of the judgment of the court; I will read some passages of that, and ask you whether, having heard that decision given, this report concurs with your recollection; did you hear the judge, Sir James Wilde, now Lord Penzance, say, in giving his judgment, "I am bound to say that the impression produced on my mind by the evidence is by no means to the effect that, as was suggested, Mr. Smee had any desire whatever to possess himself of his relative's property"?—I did.

2285. Did you hear this also: "Mr. Smee was quite right in endeavouring to dissuade his relative from taking a course which he thought would be fatal to his eternal happiness, and Mr. Hutchison was equally right in resisting Mr. Smee's efforts. That correspondence seems to me to have very little bearing on the issues to be tried, which are, first, whether the will and codicil were made by the testator at a time when he was of sound and disposing mind; and, secondly, whether they were made under the undue influence of anyone then about him. The case set up against the will is, that the testator had for years been affected with a nervous complaint, which impaired his mind; that it had impaired some of his bodily functions is plain from the evidence on both sides; but had it impaired his mind? Upon such a question the court naturally looks to the positive evidence on the one side, and on the other, as to his acts, and speech, and writings, while under the influence of the disease; and, in the face of evidence of that character, suggestions, even of the highest scientific men, that possibly his mind might be affected, would have very little weight. The very eminent gentlemen who were called on the part of defendant, at once said, with that candour and honesty of purpose which distinguishes their profession, that they could not undertake to say that his mind was impaired; and when I cast my eyes upon the evidence on the other side, it is not too much to say that it is overwhelming"?—Yes.

2286. "They all agree that he was suffering from nervous disease, from partial paralysis of a portion of the nerves, arising from tumour or some other injury at the base of the brain; that the nervous disease increased and finally caused his death, but that it was a species of nervous disease which might exist without affecting the brain, and that they saw not the slightest trace of any affection of the mind;" did you hear that?—I did.

2287. Did you hear this: "Those are the dry facts, and nothing was elicited to show that the slightest pressure was exercised on him, or that there was the slightest interference with him with regard to the free disposition of his property"?—Yes.

2288. Did you hear this also (this is important) "The rules of the society have been examined and neither the rules nor the established customs in any way affect the disposition of the property of the members"?—I did.

2289. Such was the judgment; and now I wish to put to you this question: Were you satisfied with that part of the decision of the court which was to the effect that "the rules of the society have been examined, and neither the rules nor the established customs in any way affect the disposition of the property of the members"?—I was not satisfied with the decision at all.

2290. The decision of the court turned chiefly upon the sanity and competence of the testato

a

t his death?—I should say that it turned upon vo things. One was that there was not suffi- ent evidence of, I may say, the infirmity of the stator at the time that he made his will. That uestion was put to me distinctly by the judge, ho is extremely acute in matters of evidence. Ie said, "Did you see yourself any proof of nsanity when you saw him about the time of aking his will?" I said that I saw no insane elusion whatever, but that his mind was weak- ned from disease of the brain. It was weak- ess, imbecility, not insanity. Then the other oint that seemed to weigh upon the court was at priest after priest of the Oratory, I would ather say monks of the Oratory, got up and vore that they were unbound by vow, that they ake no vow at all, and that they were free to o out and to do whatever they liked without eing bound by any vow at all.

2291. Did you understand from the decision of he court that the court had decided that because ese Oratorians said they were not bound by ows, therefore the Oratorian establishment was ot a conventual or monastic institution?—I ink it went towards that; I do not think it ent so strongly as that, but that would be the ndency. I think that the tendency in the dge's mind was that being unbound by vows they swore (which I did not believe), they ere not therefore monks or a monastic institu- on.

2292. What I want to know is this: the de- sion chiefly turned upon the competence of our deceased relative to dispose of his property, d it not?—Yes, that was the chief point de- dedly.

2293. The minor point as to the character of is institution arose only incidentally?—I am ot prepared to say that it was quite incidental; think that it was material in influencing the dge's mind, but still that part of the question ould have been tried in Chancery, I fancy, not law.

2294. And it was your intention to have tried in Chancery?—Yes, and I will now if I have fficient assistance; there is time left now, I lieve, to try the validity of the appropriation the money to the monastic institution of the ratory of Brompton.

2295. Why did you not do that at the time?—On account of the very heavy expense.

2296. This trial put you to a great expense?—Yes, I can show you the bills; I may state at our friend Mr. Few tried to charge me over 8 *l.* more than was allowed.

2297. You were deterred from proceeding with e trial, as you intended, in Chancery by the pense?—Solely; but if anyone would have sisted me I would have tried it, and will try it w, if assisted.

2298. Have you a copy of a correspondence hich passed chiefly between yourself and Mr. uce, and which is contained in a return to an dress of the House of Commons, dated the th of March 1864, and headed, "Roman tholic Burial Ground (Sydenham)"?—I have t the House of Commons copy; I cannot d it. I have the original letters.

2299. Will you be good enough to take that py (*handing it to the Witness*), and read the o first letters?—"Sir,—I am the present perior of a Roman Catholic college at Bromp- n, commonly called the Oratory; our com- unity possesses a country house with nine acres 0.92. of ground on Sydenham Hill, and we are anxious to set apart a small portion of this ground as a burial-place for ourselves only. Our community is now 20 in number, and may possibly average hereafter 25 members. I believe that Sydenham is within the Act of Parliament boundaries, which render your consent necessary; may I request to be informed what steps are necessary for us in order to bring this request in a regular manner before your department. I have, &c. (signed) *Fred. William Faber*, D.D. The Right Honourable the Secretary of State for the Home Department." That is dated the 3rd of September 1856. Then Mr. H. Waddington to the Rev. F. W. Faber, D.D. "Whitehall, 4 September 1856. Sir,—I am directed by Secretary Sir George Grey to acknowledge your letter of the 3rd instant, and to inform you that if the ground which you desire to set apart as a burial-place for your community is within the district of the Metropolitan Interment Act, it cannot be used without the sanction of the Secretary of State. If you will send a letter asking for approval, it will be referred to an inspector of burial grounds for his report."

2300. Did you know Father Faber as superior of that order?—I know that he was superior and I have seen him, and that is all; I never spoke to him.

2301. But you knew it for a fact from the correspondence?—I know that he has been pointed out for the superior. He has always been spoken of by my brother-in-law as superior.

2302. In the will of your late relative, did he not place the whole conduct of his funeral in the hands of Mr. Faber, if he should be then living, as superior of the order?—I think not in the will that was proved.

2303. Did it appear in the draft of will which was furnished to you by the Court of Chancery?—A draft was furnished to me on the trial by the Court of Probate.

2304. I think if you read it you will find that your late relative did do what I put to you?—It comes in the script.

2305. What do you mean by the script?—The plaintiff has to put in all the documents before the Court of Probate relating to a will and all former wills.

2306. I will read this to you, and ask you whether it is a part of the script; this is a draft will of deceased dated 1st February 1855: "This is the last Will and Testament of me, the Reverend William Hutchison of Brompton, in the county of Middlesex, clerk. Whereas, by a certain indenture dated the 29th day of May 1854, and made or expressed to be made between me, the Reverend William Hutchison, the Reverend Thomas Francis Knox, and the Reverend Edward Gilpin Bagshawe of the first part, the Reverend Frederick William Faber and others, of the second part, the Reverend John Dobree Dalgairns, of the third part, and Elizabeth Bowden, widow, of the fourth part, certain real and personal estate therein mentioned or referred to, being the then common property of the congregation of the Oratory of St. Philip Neri at Brompton aforesaid, was declared to be vested in the parties thereto of the first part, upon certain trusts therein particularly declared for the benefit of the said congregation of the Oratory at Brompton aforesaid. But it was hereby declared that in case the trusts thereby declared, or any of them, should be invalid

Mr. *Smee.*
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trusts according to the doctrines of the High Court of Chancery, the said parties thereto of the first part should be deemed in equity as well as at law to be absolutely entitled to the aforesaid real and personal estate and premises free from any trusts enforceable in any court of equity or otherwise." Is that part of the script?—That is the first paragraph of script No. 5, dated the 1st of February 1855.

2307. It then goes on to get rid of the trusts; then there are these words: "And I hereby devise and bequeath the same unto and to the use of such persons or person, if any, as at or immediately after my decease shall be; or supposing the trusts of the said indenture of the 29th day of May 1854 to be valid, would be, trustees or trustee thereof, their or his heirs, executors, or administrators respectively; but if there shall be no such persons or person, then unto and to the use of the person who at my decease shall be the Superior of the said congregation, his heirs, executors, or administrators; or if there shall be no Superior of the said congregation at my decease, then unto and to the use of such person as shall first become such Superior within 12 calendar months after my decease, his heirs, executors, and administrators;" and throughout this draft I think this congregation is treated as a community, and it was the object of the testator to leave to the Superior of that community for their use certain property?—Certainly.

2308. Then the will of 1855 contains, in fact, the same terms as that draft?—Yes.

2309. I need not read them again, because they are identical; but in this instance and always, your relative considered himself to be a member of a community, and you understood it to be his intention to give his property, including some 8,000*l.* that he had advanced for building this institution at Brompton, and such property as he had at his decease, to some members of that congregation for the common benefit thereof?—I entertain no doubt that the moment he joined it, his property was really vested in that congregation, and that whatever circuitous methods might be practised, he was bound to give every farthing that he possessed to them as under a vow of poverty. I may mention a very striking illustration of that. His sister begged him to let her have a small piece of the old family plate with the crest on it, and told him that she would give him twice its value if he would give it her, and he said, "No; it all belongs to the congregation, and I should have to ask Father Faber and the others about it, and I will not do that." It was a great grievance to her that he would not even sell her one spoon with the old family crest upon it.

2310. I must again ask you to look at the Parliamentary Paper from which you read just now; read a letter from his Grace the Duke of Norfolk to the Right Honourable Sir George Grey, which you will find there?—"His Grace the Duke of Norfolk to the Right Honourable Sir George Grey, Bart. Arundel Castle, Saturday, 27 September 1856. Sir,—May I write to you on the subject of a burial ground for which the fathers of the Oratory have petitioned, in their own ground at Sydenham. They have at Sydenham nine acres of land, and they are very anxious for permission to make, in their own ground, a small cemetery for the interment solely of the members of their own community. This community consists of a small number of persons, averaging from 25 to 35; and they have lost but one member by death in the last seven years. The privilege is one which has always been prized by religious communities to a degree I can hardly describe to you; they like to walk among their deceased friends, and pray for them, and recommend them to the prayers of the younger members. I feel satisfied that you will not find, upon inquiry, any valid objection upon sanitary grounds. May I therefore earnestly beg your favourable consideration of their petition, which will confer upon them, without detriment to others, a really great boon. I have, &c. —*Norfolk.* The Right Honourable Sir George Grey, Baronet."

2311. The late Duke of Norfolk evidently considered them a community, possessing their property at Sydenham, which they desired to convert into a burial ground for themselves exclusively as a *quasi* corporation?—Certainly.

2312. I need not pursue this further than by asking you whether you recollect, in this correspondence, a letter from Mr William Massey to Mr. R. D. Grainger, to this effect: "Whitehall, 4th October 1856. Sir,—In calling your attention to the two letters from the Reverend Dr. Faber, Superior of the Oratory, forwarded to you in Mr. Waddington's letter of the 8th ultimo, I am directed by Secretary Sir G. Grey to transmit to you herewith a letter from the Duke of Norfolk on the subject of the proposed new cemetery at Sydenham, for the members of the said community, and to request that you will report thereon at your early convenience. I am, &c. *W. Massey;*" therefore Mr. Massey recognised this Order as a community, and the license was issued, was it not?—I am told that the license was issued; but even after formal application to the Secretary of State, he never would allow me either to see the license or have a copy of the license, and said he would only give it to some one applying in Parliament.

2313. I will put this to you; the ground was understood to be licensed, and used as licensed, was it not?—It was used as licensed. I was present, and anyone who is present is liable to a heavy penalty where it is not licensed.

2314. And the funeral of your relative was conducted as being a member of that community?—It was; I was present.

2315. And, in your first evidence, you stated that you had complained that his name was not properly described upon the tombstone?—In the first place, my first complaint was that there was no evidence to show to what part of the earth's surface this license appertained.

2316. That is another matter; but you complained that your relative's name was not legally given upon his tombstone?—Yes.

2317. Was the alteration of the name on the tombstone made in consequence of your relative being a member of that Order?—So they stated.

2318. Mr. *O'Reilly.*] Who are they?—The priests of the Oratory.

2319. Will you kindly name the man who made the statement?—I believe it was Dr. Knox, as far as I know.

2320. Do you mean to say it was?—I believe that I asked him; I am uncertain about that.

2321. Mr. *Newdegate.*] But you can produce a correspondence, I think, that will show it?—Our complaint was this, that whereas his name

was

as William, he was called upon his tombstone William Anthony, and at the Oratory Anthony, nd the consequence of that will be that, 50 years ence, in regard to property in succession in our mily, we shall be driven, but for this correspondnce, to prove the identity of William, William nthony, and Anthony, and we say it is a great rievance in the laws of this country that his ame should be permitted to be so mis-stated.

2322. *Chairman.*] Was there a correspondence n that subject between you and any of the entlemen connected with the Oratory?—No, it as with Sir George Grey.

2323. Mr. *O'Reilly.*] Showing that it was hanged in consequence of his being a member f that community?—He stated that himself, nd I state it emphatically now.

2324. Mr. *Newdegate.*] You attended your elative in the house at Sydenham, belonging to he Oratorians, did you not?—I saw him in the ouse at Sydenham; I did not absolutely attend im there; I attended him in the Oratory at Brompton.

2325. You have stated that he was known by the name of Anthony among the Oratorians?—Yes; he had that name when he was taken into their community.

2326. That is the name by which he was admitted into their community?—Yes.

2327. You state that you are positive of that fact?—Yes, I am positive that it is what he stated at the time, because his sister grievously complained of his being called Anthony.

2328. He stated that it was in consequence of his admission into that community?—Yes.

2329. *Chairman.*] Was he ever called Anthony before?—No.

2330. Or William Anthony?—No; William is his simple name. This is the state of the case: his family name is William; all his property goes by the name of William; his will is signed William; he is then registered in the register of deaths as William; his death is advertised as William Anthony; he is then described on his tombstone as William Anthony; and there is no register of burial that I have ever been able to get at, although we got an Act of Parliament passed afterwards to compel registration of burials; I have sent over and over again for the burial extract, and have been refused.

2331. Sent to where?—To the Oratory at Brompton, and I wrote to Father Faber, and asked him for it.

2332. Mr. *Newdegate.*] I think the Bank of England consider a proper registration of burial very essential in all operations with respect to property?—It used to be invariable at that time, and so it is at most of the insurance offices; there has been an Act modifying it since. I think that the Registrar General's certificate of death is now a more valid document than it was formerly.

2333. The objection you took upon the change of your relative's name upon the tombstone was not founded upon any fancy of your own, but was in accordance with the practice of the Bank of England?—Precisely; and I know that it will give us trouble 50 years hence in our family.

2334. And this erroneous, as you conceive, or illegal description upon the tombstone has never been corrected?—When I saw it last there it was on the tombstone, and all the other names in the churchyard were falsified too.

2335. And this name, Anthony, you believe and declare identified your late relative with this community?—It did.

2336. I will now read to you a copy of the last will of your relative, dated the 24th of July 1860: "This is the last will of me, the Reverend William Hutchison, of the Oratory of St. Philip Neri, Brompton, in the county of Middlesex, clerk. I hereby revoke all former testamentary dispositions. I desire after my death to be buried according to the rites of the Roman Catholic Church, and in such place as the Superior for the time being of the Oratory of the Congregation of London shall think fit;" are those terms in it?—Yes.

2337. It goes on. "I give and bequeath to the Reverend Thomas Francis Knox, of the Oratory aforesaid, the legacy or sum of 30*l.*, and subject thereto, I give, devise, and bequeath all my real and personal estate whatsoever and wheresoever, and of what nature or kind whatsoever, unto and to the use of the Very Reverend Frederick William Faber, Doctor of Divinity, of the Oratory aforesaid;" that appears in the will, does it not?—Yes.

2338. "His heirs, executors, administrators, and assigns, for his and their own absolute use and benefit; but if he shall die in my life, then unto and to the use of the Reverend Charles Bowden, of the same place, clerk;" was he a member of that community?—Yes; I have seen him there.

2339. "His heirs, executors, administrators, and assigns, for his and their own absolute use and benefit. And I devise unto and to the use of the said Frederick William Faber and his heirs, or if he shall die in my life, then unto and to the use of the said Charles Bowden and his heirs, all estates, if any, which at my decease may be vested in me as a trustee, or by way of mortgage, but upon the trusts and subject to the equities affecting the same respectively. And I appoint the said Frederick William Faber, or if he shall die in my life, then the said Charles Bowden, sole executor of this my said will," and so forth; these were all members of the same community which your relative entered?—They were all members of the same community, and the will is witnessed by two members of the same community. The clause for witness is this: "Signed, published, and declared by the said William Hutchison, as and for his last will and testament, in the presence of us, who, in his presence, at his request, and in the presence of each other, have hereunto subscribed our names as witnesses, James B. Rowe, Clerk, The Oratory, Brompton, Geo. T. Ballard, Clerk, The Oratory, Brompton;" and that was at a time when his family could get no access to him at all.

2340. Mr. *Pemberton.*] Was that the will to which probate was ultimately granted?—Yes.

2341. Mr. *Gregory.*] Was the Probate Act annexed to that copy?—No; the other side would have the probate.

2342. Mr. *Pemberton.*] Was any objection taken when the probate was applied for?—Yes; we objected the 8th day of December, in the year of our Lord 1869. The words are as follows: "Alfred Smee, and Elizabeth his wife, by Thomas Harris Devonshire, their attorney, say that the paper writings bearing date respectively the 24th day of July, in the year of our Lord 1860, and the 7th day of August, in the year of our Lord 1860, and alleged by the plaintiff

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plaintiff to be respectively the last will and testament, and the codicil thereto, of the Rev. Wm. Hutchison, late of the Oratory of St. Philip Neri, Brompton, in the county of Middlesex, deceased, were not nor was either of them executed according to the provisions of the statute of the first year of the reign of Her present Majesty, chapter 26. Secondly, and for a further plea, the defendants say that the said Reverend William Hutchison, deceased, at the times respectively of the making of the said alleged will and codicil respectively, as in the declaration alleged, was not of sound mind, memory, and understanding. Thirdly, and for a further plea the defendants say that the execution of the said will and codicil respectively was procured by the undue influence of the plaintiff, and of others acting in concert with him." This is a copy of the script given to us for probate.

2343. Mr. *Gregory.*] But you have not the copy from the Probate Court?—No.

2344. Mr. *Newdegate.*] Will you take this copy of the Roman Catholic Directory in your hand (*handing the same to the Witness*), and state the page upon which you see the heading, "Communities of Men"?—Page 111.

2345. Will you read what you find under that heading?—"Augustinian Fathers, St. Monica's, Hoxton-square, N.; Carmelites (Discalced), 5, Vicarage-place, Kensington, W.; Charity (Fathers of), 170, Culford-road, Kingsland, N.; Dominican Fathers, St. Dominic's Priory, Haverstock-hill, N.W.; Jesuit Fathers, 111, Mount-street, W.; St. Mary's, Horseferry-road, Westminster, S.W.; Marist Fathers, St. Anne's, Albert-place, Spicer-street, E.; Oblates of Mary Immaculata, 25, Great Prescot-street, E.; Church of the Sacred Heart, Kilburn, N.W.; Oblates of St. Charles, St. Mary's, Bayswater, W.; Oratory (Fathers of the), Brompton, S.W.

2346. Then among these "Communities of Men," you find in the Roman Catholic Directory, "Oratory (Fathers of the), Brompton, S.W."?—Yes.

2347. Is that the correct address and description of the Oratorians whom your deceased relative joined?—Yes.

2348. I will now put a general question to you; having known that your relative was for 11 years a member of that community, have you the slightest doubt that that community constitutes an institution and society of a monastic or conventual character?—Not the remotest. In fact, he wore a monkish garment until the Queen's proclamation made him take it off.

2349. Mr. *Gregory.*] What do you mean by the Queen's proclamation?—I think there was an Act, or a proclamation to the effect that monkish vestments were illegal in the streets. There was some excitement about that some years ago; and he used to come to our house constantly in those garments.

2350. Mr. *Pemberton.*] Will you tell me what you consider to be the essential characteristics of a monastic institution?—Living together bound by vows either of obedience or any other class of vows. I believe St. Philip Neri's in Italy is pronounced to be a monastic institution of that character. It is very difficult to define a monastic institution, but the outward and the visible signs are that they live together and have community of goods. In this case each father as he dies leaves all his property to another father, showing that there is some recondite or some hidden mode in which they act, by which they carry out their vow of poverty, which my relative always declared he had taken.

2351. Is it quite consistent with a community of goods that each person should leave a will?—I think it is if they want to evade the law.

2352. You think that the essence of a monastic institution is that the members should be bound by vows and have property in common?—Property in common or *quasi* in common. I look upon their mode of doing it as nothing else but a mode of evading the law; and we have here amongst the scripts counsel's opinion as to how to evade the law.

2353. Mr. *Newdegate.*] Should you have any objection to put that script in?—No; the opinion was produced in court amongst the script, and it shows how they attempted to evade the law.

2354. *Chairman.*] Was the script produced in court?—The script was filed in court; this is the copy, given to us on the trial, containing counsel's opinion how to evade the law, and how particularly to avoid that the next of kin should ever deal with any part of the funds of the Oratory, which they contemplated might be attempted, and which they are there shown how to avoid.

2355. Mr. *Pemberton.*] I suppose counsel's opinion was given at the end of a draft will?—Yes.

2356. At the end of some draft will he probably stated his opinion as to the proper mode of carrying it out legally?—It is signed "W. H. G. Bagshawe, Lincoln's Inn."

2357. *Chairman.*] It is part of the affidavit?—It is part of the affidavit of Dr. Knox.

2358. Mr. *O'Keilly.*] Am I right in understanding that in answer to Mr. Pemberton you stated your view as to what would constitute a religious community in the words that Mr. Newdegate read to you, "of a monastic or conventual character," by saying that it would be the fact of the members being bound by vows of poverty or other vows?—I think that the vow of obedience, which the whole course of my relative's life showed, constituted just as much a monastic vow as a vow of poverty.

2359. But I take it that you emphatically consider that the characteristic of a monastic or conventual institution is that there should be vows either of obedience or of poverty?—Not solely; you must judge by the whole circumstances of the case. If you ask me I should regard that as something like a definition; but it requires very grave study to settle such a definition as to meet all cases as we find them in the external world.

2360. But in this case your opinion is, that the Oratorians do come under that definition, in consequence of being bound by certain vows?—No, I first take the circumstances as a whole; I first take the appearance of community, of property. I have another will of another father, who leaves his property to William Hutchison and somebody else; and I can produce other wills to show that Father Faber left property in the same way. Now that shows that the will was just a finishing off of a line of conduct which they had already commenced.

2361. But am I not correct in stating that one of the reasons why you consider the congregation of the Oratory to come under this definition which has been read to you, is the fact, as you state it, that each member must leave all his property to some other member of the same community;

community; and that they hold all their property in common, or *quasi* in common?—It is done in a recondite manner. I do not know that they must leave the property so, but the fact would be for a jury to consider that they do leave, and have left, and probably will leave in the future, their property to each other to all eternity, as long as the order of St. Philip Neri exists.

2362. You have used the word pretty often; may I ask whether you would consider that every "community" would come under the words read to you?—I think that were they communities of any other religion they would be just as bad.

2363. Then you think that any community would come under this description, do you?—What do you mean by the word "community"?

2364. You have used the word, and therefore I ask you?—Well, the word "community" means people living in common, and I say this, whether they be Dissenters, or Quakers, or members of any other religious creed, they would be just as bad; they would equally be a monastic institution, and I should have contested this will just as much if the community had been one composed of Jews, or Quakers, or any other religion. I do not contest it upon the religious question, but I take it upon the pure and material fact that the Oratorians did get all Mr. Hutchison's money in this way, which is contrary to the law of the land, as I believe, and contrary to the public policy of the State.

2365. Then am I right in taking from that answer your statement to be that any community of persons living in common, whether Dissenters or any other religion, would in your opinion be members of a conventual or monastic institution, or a religious institution of a conventual or monastic character?—I should be guided by all the other external circumstances that presented themselves. It is very difficult to give an exact definition.

2366. Then the mere fact of living in common would not, in your opinion, constitute it such?—I should say that it would go a certain way towards it and influence my opinion upon that point.

2367. You gave evidence, I think, in this case on the trial before the present Lord Penzance?—I did.

2368. But your conclusions differed, I take it, very largely from his, did they not?—My conclusions differed from his judgment.

2369. I assume that his judgment was in conformity with his conclusions; you have stated that you have no doubt whatever that from the moment your relative joined the congregation, all his property vested in that congregation; am I not right in saying that on the other hand Sir James Wilde stated, "The rules of the society have been examined, and neither the rules nor the established customs in any way affect the disposition of the property of the members"?—Those are his words, but it does not follow that they were all the rules, and it does not follow what rules did bind them. Those are only certain external rules with regard to the government of the house.

2370. Am I right that you stated also, in answer to Mr. Newdegate, that you understood that the court, that is, Sir James Wilde, decided that because the Oratorians were unbound by vows (which, as you stated, you did not believe), they were not members of any monastic or conventual institution?—He did not state that they were not members of a conventual institution. What I stated was that I thought that that influenced his mind; I have no doubt it did, for I watched him all the time.

2371. Am I right in saying that you are as little satisfied with Sir James Wilde's decision as to the validity of the will and the sanity of your relative, as you were with his decision on that point?—I never said he was insane, and I am perfectly satisfied with the decision as showing that he was not insane, but what I said was that his mind was feeble and much more impressionable and emotional from his having organic disease of the brain, than other people's.

2372. Was not your plea that your relative was not of sound mind, memory, and understanding?—Yes, my version of it comes under that plea, that a man with an organic disease of the brain, I believe, is not as free from external influences when they act upon him.

2373. Is this, as far as your memory serves you, a correct extract from your evidence given on that trial, speaking of your relative: "He spoke very little, and seemed in a very stupid state, like a man in a state of intoxication; it was an impairment of the mind"?—Yes, an impairment of mind; that is not an insane impairment, but a lowering of the powers of the mind, a deficiency of the mind. He unmistakably at that time was in a semi-stupid state, from which he greatly recovered afterwards; that is the time when I saw him at Norwood and got to see him by stratagem, for they forbade any of the family coming to him, and then we found afterwards that the will had been made at that time, and that is why they kept us from him.

2374. However, you accept that as the evidence you gave in this court?—That is the evidence, and that is the meaning of the evidence.

2375. Now, am I correct in stating that Sir James Wilde, in his judgment, stated "the evidence on the other side" (that is not your side) "is overwhelming"?—He did so state.

2376. Mr. *Newdegate.*] To what did that apply?—Sir James Wilde seemed only to entertain the idea of insanity, and spoke of it as a matter of sanity; he said that the evidence as to his sanity was overwhelming.

2377. Mr. *O'Reilly.*] Did Sir James Wilde also say, "It is fully established that he retained his mental faculties up to the hour of his death"?—He did say so.

2378. Did Sir James Wilde also say, "His letters were those not only of a man of sound mind but of a man of ability"?—He did say so.

2379. Did Sir James Wilde also say, "Those are the dry facts, and nothing was elicited to show that the slightest pressure was exercised on him, or that there was the slightest interference with him with regard to the free disposition of his property"?—Yes, he said so.

2380. Did he also say this, "The learned counsel" (meaning your counsel) "has quoted some glowing language of Sir Samuel Romilly on the subject of religious influence, but no doubt when Sir Samuel Romilly used that language there were some facts in evidence to which it was applicable; this case is wholly destitute of such facts"?—He said so.

2381. Now am I right in saying that the extract, which I have given from your evidence, applied to the state of your relative at an interview

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view which you had with him on the 9th of September 1860?—Yes; he was at the worst I ever saw him at that moment.

2382. Does this passage occur in the judgment of Sir James Wilde, and does it apply to that part of your evidence, "I find a letter written the very day after Mr. Smee saw him (meaning that 9th of September 1860), which no one could say was written by a man of impaired mind; how does Mr. Smee treat that letter; instead of treating the writer as incapable of transacting business, he writes an answer to him the next day, and says, that until he saw his writing he had no idea that he had any serious ailment;" does that passage occur in Sir James Wilde's judgment?—It does; I can explain that statement in this sense. What I meant by serious ailment was this. He told me that he had had extreme unction, and he was manifestly then apparently at death's door; it seemed that he would have died within a few days, and although I knew that he had organic disease of the brain for a long time previous to that, I did not know that he was so ill as to be at death's door, so that they should give him extreme unction.

2383. Did you know that at the 9th of September, when you then saw him?—I know he was seriously ill then; I did not know he was fatally ill until I saw his writing, which fixed much more on my mind the positively fatal character of his disease, which might have been immediately fatal.

2384. Does this passage also occur in Sir James Wilde's judgment: "There is a total absence of any single fact to show that any human being in the establishment (meaning the Oratory) ever interfered with him as to the provisions that the will contains"?—Yes; no one could get there to find out.

2385. Am I right in saying that he finally decided that "as there were no reasonable ground for contesting the will," Mr. Smee must pay the costs?—Yes.

2386. And you did pay them?—I did pay them, and they tried to charge me 228*l.* in excess, which were struck off.

2387. Now I will take you to one or two other points; you stated that your relative's name was altered, by the addition of Anthony, in consequence of his being a member of the community of the Oratory, did you not?—Yes.

2388. You stated first to me that members of that community stated it to you?—I retracted that upon consideration; I was uncertain; I will not say certainly whether they did or not, but I have a little impression that they did; I will not declare to that.

2389. Then you have also stated that your relative, who is dead (the members of the Oratory being alive), stated it to you; will you retract the certainty with regard to him?—No, certainly not, because we knew his name was Anthony before, and we asked him how he came by that name, and we suggested to him in a playful sort of way that Anthony was said to be a patron of Thieves, and we did not want him to be that.

2390. Mr. *Newdegate.*] What was his answer?—"We always change our names."

2391. Mr. *O'Reilly.*] You are quite clear as to your recollection of what your relative, who is dead, said to you, but you are not quite clear as to what the members of the Oratory, who are alive, said?—I am quite clear what they said upon many points, but not on that particular point.

2392. If one of them stated that your relative had taken the name of Anthony when he received the sacrament of confirmation, as is the custom among Roman Catholics, would you be prepared to dispute the accuracy of that statement?—No, but I do not know; how can I dispute what I do not know? I was not present.

2393. Now, you state that your relative gave up wearing a religious dress in consequence of the Queen's proclamation; could you tell me about the date of that?—No, I cannot.

2394. About 1852?—I am very uncertain.

2395. You stated that he did it in consequence of the illegality of wearing the habit of a religious order, I think?—Yes.

2396. Will you be prepared to dispute the fact that it is equally illegal for any Roman Catholic ecclesiastic, whether a member of any order, community, society, or not, to exercise any of the rites or ceremonies of the Roman Catholic religion, or wear the habit of his order, save within the usual places of worship of the Roman Catholic religion, or in private houses, or, in other words, to put it short, does not the prohibition as much apply to any other ecclesiastic as to a member of any religious order or community, the prohibition being contained in the 26th clause of the Emancipation Act, 10 Geo. 4, c. 7?—I am not aware. He used to come to our house in a monk's dress, a tunic, a great dress and hood, just like the monks wear abroad; I am not very learned in them, but my people at home could give you an exact description.

2397-8. Do you state, then, that your relative came to you in a white dress?—It was a monastic dress.

2399. I should like to know the colour, because that is a thing that your memory must be tolerably accurate on?—I will not declare to the colour positively; it was a distinct monastic garment.

2400. I do not wish to insist on shades of colour, but was it light?—I think they called themselves St. Wilfridians at that time.

2401. Was he at that time a member of the congregation of the Oratory?—That was, I think, before the Oratory was established; there were all the same people, but they were living in a different place; they were living in the country.

2402. Now you stated, in answer to Mr. Newdegate, that Father Faber was superior of that order; and in proof of that statement you read, or Mr. Newdegate read, several extracts from wills of your relative, in which Father Faber was spoken of as the superior of the London congregation of the Oratory; allow me to call your attention to the difference, and to ask whether you can bring anything to show that Father Faber was superior of the order?—No, I do not know that I can.

2403. Mr. *Matthews.*] I have listened with great attention to your evidence; I should like you to tell us what a monastic institution is?—Upon my honour I think you can answer that better than I can.

2404. I think so too; but as you are come here to prove that the Oratorians are a monastic order, will you tell us what a monastic institution is?—I have said that a definition is difficult, but that they live together, have their property in common, and are bound by vows of poverty or obedience; those are some of the attributes.

2405. Are

2405. Are those all that you consider necessary?—Not all; there may be others besides those.

2406. But what characteristics, in your opinion, necessarily belong to a monastic institution?—I do not take one singly, because it might be so placed that there might be a community so designed that it shall not come into that definition.

2407. Take colleges at Oxford and Cambridge; there is property in common, and persons who live in common; are they monastic institutions?—No; they verge towards it in some respects.

2408. Take the Temple and Lincoln's Inn; they have common property, and a good many of them live in common in the buildings situated on common property; are they monastic institutions?—No, no appearance of it at all.

2409. Does not that bring you to this, that vows or common rules, or something of that sort, are necessary to make a monastic institution?—Not necessarily, if their rule is to have no rule, as they have at the Oratory.

2410. In point of fact, you can give us no definition of a monastic institution?—It must be judged by all the circumstances.

2411. What is the circumstance that makes you judge that the Oratorians are a monastic institution?—Not one circumstance, but the whole bearing of the case.

2412. You mean to say that you cannot specify to the Committee the circumstances from which you draw the inference that the Oratorians are a monastic institution?—One thing is, that nothing can be done without leave; the second is, that they were clearly bound by obedience, so far that, I believe, he could not come to our house without leave.

2413. Can a young man leave his college at Oxford without leave?—He was about 45, and therefore was not a young man in that sense when he died.

2414. Obedience in that sense alone will not make a monk?—No; first of all they were ecclesiastics; secondly, they were living in a house in common; thirdly, they were living in a house constructed as monasteries are.

2415. How many monasteries have you been into?—A good many abroad; I have just come from Italy and Rome, where I have seen plenty of it.

2416. You cannot give us anything more definite than you have given?—No, it must be judged by all the circumstances of the case. If the Committee or the House of Commons were to rely on a special definition they would be beaten by some community who would go out of the definition to-morrow.

2417. Upon the point of the name, which is the only other circumstances you mentioned; you know, do you not, that letters have been published stating that the name of Anthony was taken by Father Hutchison upon confirmation?—No.

2418. You do not know the letters of Father Dalgairns and others?—I do not remember.

2419. Let me read you a published letter from Father Dalgairns in the year 1864, "It is the custom among Catholics to take, if they please, a new name at confirmation in addition to that which they had received in baptism. These confirmation names, in the case of converts, would be unknown or seem strange to their Protestant relatives, and yet they might happen to be the names by which they were best known to each other as members of the community. This was actually the case with Mr. Smee's brother in-law. He was always called among ourselves by the name of Anthony, his confirmation name, and he even used frequently to add it to his signature, whereas Mr. Smee only knew him by his baptismal name, William. On his tombstone he is described by both names, and his death is similarly registered." Did you not read that letter at the time it was published in the "Morning Post" of the 10th March 1864?—I will not undertake to say whether I did or not.

2420. My having read it to you would be enough to call it to your mind, would it not?—I have read another statement of his; whether that is the same as a separate pamphlet, I do not know.

2421. Have you not seen that statement in print under the signature of fathers of the Oratory?—I do not remember to have seen it.

2422. Mr. *Sherlock.*] There were a great number of witnesses examined upon this occasion before Lord Penzance, were they not?—A good many.

2423. You felt a good deal of confidence, I presume, in the plans which you put in on this matter?—I felt very little, because I could not get at the facts. How could we get inside a sealed building?

2424. Did you believe your pleas to be true?—I had not the remotest doubt they were true, and would have appealed again but for the great expense.

2425. Do you believe that your relative was of unsound mind at the time when he made his will?—I have stated distinctly that he was of impaired mind, but not insane. The difference that I, as a doctor, draw between insanity and impairment of mind is what you must place reliance on.

2426. Were you of opinion that he was so unsound of mind as to be incapable of making a will?—I am of opinion that he was in that state of mind which rendered him impressionable and emotional, and capable of being acted upon, and therefore incapable of making a will at that moment.

2427. And if Lord Penzance had believed your evidence he would have thought him incapable of making a will?—I do not know that. I think he went upon insanity and upon insanity alone, and it struck me that that was a very wrong legal view to take of it.

2428. Then do you think that the evidence which you gave on that occasion was sufficient to invalidate the will if your evidence had been believed?—No, I do not think that the evidence as it stood was sufficient. Whilst persons are in a house of the description of the Oratory, you cannot get at the facts.

2429. Did you not attend him at the time of his death?—I attended him immediately before his death, within a few days.

2430. In 1863, three years after making the will?—Three years after making the will.

2431. You are a medical man yourself?—I am.

2432. You swore to the fact of his having paralysis?—Of his having paralysis and organic disease of the brain. That was the impression of everybody who saw him.

2433. Whose impression was it, besides your own?—I think every one of the medical witnesses.

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2434. That his brain was so disordered as to be incapable of understanding?—No, that is not the question, but whether he had organic disease of the brain or not.

2435. On that subject, may I ask whether these were not the observations of Lord Penzance: "The case set up against the will is, that the testator had for years been affected with a nervous complaint, which impaired his mind"; that was the case which you set up?—No, we did not set up that case at all.

2436. Then Lord Penzance mistook the case that you set up?—I think he did; no doubt about that medically.

2437. Then he said, "That it had impaired some of his bodily functions is plain from the evidence on both sides; but had it impaired his mind? Upon such a question the court naturally looks to the positive evidence on the one side and on the other, as to his acts, and speech, and writings while under the influence of the disease, and in the face of evidence of that character, suggestions even of the highest scientific men that possibly his mind might be affected would have very little weight; the very eminent gentlemen who were called on the part of the defendant;" that is the medical witnesses whom you examined on your behalf?—They did not see him.

2438. "At once said, with that candour and honesty of purpose which distinguishes their profession, that they could not undertake to say that his mind was impaired;" now is it not the fact, that the medical witnesses whom you examined would not undertake to say that his mind was impaired?—Certainly.

2439. But you did undertake to say that his mind was impaired?—Impaired in that sense; weakened. I meant impaired by weakness.

2440. Is not that impaired?—You might put it in another sense, and take it to mean an insane impairment.

2441. Did you not swear that his mind was impaired, with a view to support your plea that he was not of sound mind, memory, and understanding?—If you suggest that I swore that improperly, I say I swore what was true.

2442. But the judge and you differed in opinion as to the veracity of your statement?—Not a bit of it; he simply stated that that view that I took of his mind being impressionable and weakened was not a case of insanity in law.

2443. That was not the decision of the judge?—That was the interpretation of the view that was taken, and not in the way that you are suggesting it.

2444. I will read you now the words again: "That it had impaired some of his bodily functions is plain from the evidence on both sides; but had it impaired his mind? Upon such a question the court naturally looks to the positive evidence on the one side and on the other, as to his acts, and speech, and writings while under the influence of the disease, and in the face of evidence of that character, suggestions even of the highest scientific men that possibly his mind might be affected would have very little weight;" is not the inference from that as plain as possible that Lord Penzance was of opinion that his mind was not affected?—No; you read the end of it, and never began with the beginning. What was it that did not impair his mind? Disease of the brain; and in putting disease of the brain in that way, what he stated was right.

2445. Does not Lord Penzance go on in his judgment to show the mental labour of the testator up to the time of his death, or nearly so, and many years after the time of making the will; does he not say, "They all agree that he was suffering from nervous disease, from partial paralysis of a portion of the nerves, arising from tumour or some other injury at the base of the brain; that the nervous disease increased and finally caused his death, but that it was a species of nervous disease which might exist without affecting the brain, and that they saw not the slightest trace of any affection of the mind;" is not that the judgment of the learned judge, Lord Penzance, that there was not the slightest trace of any affection of the mind?—That is his judgment; that is what we should have appealed upon but for the cost.

2446. Then you think he was wrong?—We should have appealed against it but for the expense.

2447. Possibly Lord Penzance may have been wrong, but he thought you were wrong?—Precisely; and there is a Court of Appeal if we think that judges are wrong.

2448. Then Lord Penzance being of opinion that the paralysis had not affected his brain, and you being of opinion, and having sworn that it had weakened his intellect, there was a very material difference of opinion between the court and the witness?—Yes; and that is what we should have appealed against.

2449. Your counsel, Dr. Deane, stated your case from your instructions?—From my solicitor's instructions.

2450. And your solicitor took the instructions from Mr. Smee?—And the other evidence.

2451. And you instructed your counsel to state this in reference to the capacity of the testator: "The testator's capacity having been blunted by paralysis, the next inquiry is how far undue influence had been exercised upon him;" your case was, and your counsel on your behalf and in your presence stated, that his intellect was blunted by paralysis?—Yes.

2452. The judge did not think so?—He did not decide so.

2453. Did not the whole of his judgment, I ask you as an intelligent medical gentleman, negative such a supposition?—The whole of his judgment clearly negatived mental disease, but he threw over everything like the consideration of what I call a mind weakened from disease. In medical testimony of this sort, the difference is between direct insanity and a person who is weak and impressionable in mind.

2454. The judge went on to say, "It is fully established that he retained his mental faculties up to the hour of his death?"—Yes.

2455. If a man's mind is weakened does he retain his mental faculties according to your view?—In that sense. The whole of those observations go to this, that he was not insane; and I swore distinctly upon the trial that to my judgment there was no insane idea.

2456. Yet you swore that his mind was blunted and that his mind was weakened?—And I swear that now.

2457. There were witnesses examined, both the gentlemen who prepared the will and the witnesses to it; the Rev. George Frederick Ballard appears to have been examined; were you present at that examination?—Yes.

2458. Did he swear upon that occasion as follows:

follows: "The Oratory is a society of secular priests living in community. It is one of the few religious orders in which no vows are taken beyond those of the priesthood. There is no distinct vows of poverty or obedience, and the members can withdraw from the community at their pleasure. We all contribute a small annual sum by way of commons; with that exception we have the perfect control of our own property;" you heard that gentleman examined?—Yes, I did.

2459. And you heard him cross-examined?—I did.

2460. And you did not hear that portion of his examination questioned upon cross-examination?—I heard that, and moreover I consulted my solicitor afterwards whether, with all the facts before us, he should not be indicted for perjury.

2461. That was your view?—That was my view of the case.

2462. There was another gentleman examined, the Rev. Mr. Knox was himself examined; did you hear his evidence?—Yes.

2463. He was left a legacy of 30*l.*?—Yes.

2464. And subject to that the entire of the property was left to the other legatees; is that so?—To Dr. Faber.

2465. Is not the fact of a small legacy being left to an individual member of this congregation evidence to show that he was meant to have a personal and individual enjoyment of that small sum of 30*l.*?—No, I think that it was left as a mere blind to conceal the character of the transaction.

2466. That is your belief?—That is my belief.

2467. Mr. *Newdegate.*] If you are right that would not disturb the enjoyment of the 30*l.* to Mr. Knox; the devise of the 30*l.* to Mr. Knox would still be valid?—If the will was upset the will would have been gone.

2468. You do not mean that the legacy of 30*l.* was not valid; Mr. Knox would take the 30*l.* under the will?—Yes.

2469. Mr. *Sherlock.*] On the face of the will is there not this: "I give and bequeath to the Reverend Thomas Knox, of the Oratory aforesaid, the sum of 30*l.*?—Yes.

2470. You think that that is a blind?—Yes.

2471. Have you any reason, except your own suspicion, to think so?—From the whole case; all the circumstances.

2472. You wrote to Sir George Grey, I think, in regard to that matter referred to by Mr. Newdegate?—I wrote to him about the graveyard business.

2473. And you were cross-examined in regard to that on the trial by Mr. Karslake; the letter which you wrote to Sir George Grey contained this, "The death of my relative was advertised with the falsified addition of 'Anthony,' so that his friends do not know who is dead"?—I do not think that that is the exact wording.

2474. "The death of my relative was advertised with the falsified addition of the word 'Anthony' to his name, so that his friends do not know who is dead," did not you write that letter on the 20th of July 1863?—If it is in the Parliamentary Paper containing the correspondence, it is so.

2475. And you there stated to Sir George Grey that "his friends do not know who is dead"?—Yes; how can they tell?

2476. You had attended his funeral?—I had attended his funeral.

2477. You had been attending him during his illness?—I had been attending him part of the time.

2478. You knew that he was dead?—Yes.

2479. Your wife, his sister, knew it also?—Yes.

2480. Are you aware of any other relative that was deceived?—I never said a word about "relatives;" I said "friends."

2481. "So that his friends do not know who is dead"?—How could they know if it is a wrong name. It was another person.

2482. That was the fair meaning of your letter?—That was the fair meaning of it; it is another name, another individual.

2483. You have not found anyone yet, I suppose, to advance you the money for going on with this appeal in Chancery?—No; will you? I will begin to-day if you will; your family are interested more than mine.

2484. Mr. *Cogan.*] We have passed a very interesting day in hearing all about this matter; but on the whole of the evidence that you have given, does it not simply come to this, that you impeach this will on the ground of the incapacity of the testator, and because the will was obtained by undue influence, and that the judge differed with you in both those respects, and declared the will to be valid and good?—Yes.

2485. Did you raise any other objection to the will?—I read three pleas.

2486. That third plea was a formal plea, and it was decided against you?—Yes.

2487. Then you simply come here now to try and defeat the decision of the judge?—No, I am come to give the Committee information.

2488. You appear here as the defeated party in a lawsuit, and naturally very much discontented with the decision of the judge; is not that so?—No, I come here to give you evidence; I am a defeated party, but I do not come here as a defeated party to complain. I come here to give you evidence of the amount of property that these monastic institutions have.

2489. The fact is, that you were defeated in that lawsuit, and are, very naturally, discontented; did you make an objection to this bequest, that it was void in law, as being made to a member of a community which was illegal?—That plea could not be put in that court. This is strictly legal, and I am not a lawyer and competent to argue the question; but, as I understand it, that question can only be tried in Chancery.

2490. But you did not try that question in Chancery?—That question has not been tried in Chancery, on account of the expense of it; it may be now, for all I know; I believe that the time is not closed yet.

2491. Sir *John Ogilvy.*] I wish to recall your attention to the real purpose for which you have been examined; that purpose is to show to this Committee that the congregation or the community of the Oratorians is of a conventual or a monastic character; what are the proofs that you have to submit to us in support of that?—The proofs are upon the whole circumstances of the case. I have given you one proof, their community of property, that my relative would not part even to his sister with one small piece of plate for money or otherwise, saying that it belonged to the congregation; that he left his money to another part of the congregation apparently for common use. He left his money in a

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former will to the Earl of Arundel and Surrey, no doubt in trust, bearing all the *primâ facie* appearances of trust. Then, moreover, he always admitted the monastic character of the Oratory, and he wore the monastic dress, and lived away, and would never, as other priests do, come and stay, for instance, with a relative, and when he did come he was always obliged to be back by a certain time, and apparently was under the strict law of his superior. All the external circumstances show that he was really bound by the tightest possible vows, whatever the actual vows or rules were that were put forward.

2492. You have no further statement to make in support of the opinion you have expressed, that it is a convent or monastic institution?—No, not myself; but those different phrases used by the Duke of Norfolk with regard to that community all show the mode in which they conduct themselves generally, and show to my mind that it is of a perfectly monastic character. I entertain no more doubt of its being of a monastic character than any other monastery that I have lately seen at Florence, or Rome, or anywhere else.

2493. *Chairman.*] You say that your relative once told his sister that he could not give her a piece of plate because it belonged to the community?—Yes.

2494. Is his sister alive?—Yes, she is my wife.

2495. When was that?—I cannot fix the date. I know that she begged very hard indeed for a bit of the family plate.

2496. Was that many years before he died?—Yes; it was, I think, before he went to Syria, and that was before he made his last will, in 1860.

2497. Were you present when he said that?—Yes.

2498. Where was it?—In Finsbury-circus, at my own house; he used to visit us occasionally.

2499. Had he any peculiar dress on when he came on that occasion?—I think not; I think it was after he had left off his peculiar dress. I have no doubt that I could get from my people at home an exact description of the dress; they take more notice of those things than I do.

2500. Mr. *Newdegate.*] You have stated that you have been a good deal in Italy, and have seen a good deal of monasteries and convents there?—Yes, I used to see them when I was there.

2501. Now I wish to ask you whether this statement, which is made by Mr. Algernon Taylor (who was for two years in Italy, and resident in several convents and monasteries, and who gives a list of 64 that he visited), in his work on "Convent Life in Italy," tallies with your experience; he says: "The Oratorians are a congregation of secular priests, instituted by San Philip Neri, in the 16th century; they are called secular priests because, notwithstanding that they live in community, and according to monastic rule, they do not take perpetual vows, and may, accordingly, leave their convents if they wish, although I believe this privilege is seldom exercised. The Oratorians of San Philippo have a handsome, and apparently a well-endowed convent:" he adds in a note, "monks and friars who live in monasteries, according to given rule (*Latin regula*), are called regular clergy, while parish priests and their curates are called secular clergy;" now do these statements made by Mr. Taylor concur with your impressions as to this order?—They do concur with my impressions, but I cannot answer the question with regard to Italy absolutely.

2502. You have stated something with respect to your relative having worn a monastic dress; now I find that Mr. Samuel Phillips Day, who wrote upon monastic institutions in 1855, states this, on page 72 of his work: "The institute of St. Philip was established in London some few years ago by Father Newman, Faber, and one or two other Oxford clergymen who had embraced the Roman form of Christianity; at the time the Oratorians occasioned a good deal of comment, and even merriment, for it was rather a novel sight in England, but especially in the metropolis, to observe the fathers and brothers in their long monkish soutanes and broad-brimmed hats and boy-like turned-down collars, parading the principal streets, looking like the ghosts of past ages in the sunlight of our civilisation; several congregations of the order have now been formed, of which the principal are in London and in Birmingham"; does that agree with what you saw?—Yes, that is perfectly true: it was a distinct monastic dress; there is no question about the monastic dress.

Monday, 4th July 1870.

MEMBERS PRESENT:

Mr. Bourke.	Sir John Ogilvy.
Mr. Thomas Chambers.	Mr. O'Reilly.
Mr. Cogan.	Mr. Pease.
Mr. George Gregory.	Mr. Pemberton.
Mr. Jessel.	Mr. Sherlock.
Mr. Matthews.	Mr. John Gilbert Talbot.
Mr. Newdegate.	Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

The Right Honourable CHARLES HUGH, Baron CLIFFORD of Chudleigh, attending by permission of the House of Peers; Examined.

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2503. *Chairman.*] YOU are cognisant, are you not, of the nature of our inquiry in this Committe?—Generally, I am.

2504. You are also aware of the state of the law affecting monastic institutions?—Yes.

2505. Are you prepared to state to the Committee the opinion of the Roman Catholic laity as to the effect and influence of those laws?—I was requested by a sub-committee, appointed by a large meeting of Catholics which met about two months ago, to appear before this Committee and state generally what the feelings of the laity were, with respect to the difficulties which those laws impose upon us. First, with regard to the laws affecting monastic orders previous to the French Revolution all our children were educated abroad, and necessarily so. After the French Revolution, when the monastic orders came over to England, since that period they have uniformly been educated in England; and we object that it is very prejudicial to general policy, and particularly to Catholics, that we are obliged to send our children for education, or generally to send our children, to be educated by men who are labouring under penal disabilities, and who may be dismissed from the country, such as Jesuits, and other orders. This tends very much, or might tend very much, to foster feelings of inattention and disregard to the law, inasmuch as they are educated by masters, whom they look up to, but who are habitually, I may say, infringing the law; at least, are teaching under penalties and under prohibitions; and we consider that that is not a proper position towards the law of the land in which they ought to be placed under those circumstances. Also, although we are prohibited from leaving legacies or moneys to those bodies who are engaged in teaching, there are certain means by which, in many cases, we are enabled to maintain that method of teaching.

2506. Mr. *O'Reilly.*] In short, your evidence applies to the restrictions on monastic orders contained chiefly in the Catholic Emancipation Act?—Yes.

2507. With regard to another branch of the law which you are equally acquainted with, the Statute of Superstitious Uses, how is the action of the Statute felt by the Roman Catholic laity?—Very injuriously, both in the instance of making wills, especially codicils to wills, leaving money as we wish, and also to executors in distributing moneys afterwards; in the first place, we habitually, or almost every day, are in the habit of giving money upon the condition that masses should be said either for ourselves, or our friends or relatives. This we do every day during our lives undoubtedly, and yet we are not allowed by codicils to our wills to continue that practice; it is certainly prohibited, and it acts unjustly in another respect. Many persons live only upon the income of a certain sum of money, which they cannot touch during their lives, and which ceases with them, but which they might dispose of after death, or by will, and this they are not permitted to do; in fact, they cannot practice what they have been habitually doing all their lives. With regard to the position of executors or residuary legatees, it is very difficult indeed to know how to dispose of sums of money which are left to us, and which we know perfectly well are left for this purpose; but we cannot have instructions, as the bequests would be void, if we followed out written instructions disposing of the property; and in regard to both cases our wish would be that we should be placed in the same position exactly as our Protestant fellow-subjects, who are not tied in that manner.

2508. *Chairman.*] Are we to understand that when you take property in that way, you consider that it is upon trust?—Certainly, upon trust; but we have no means to guide us in the distribution of that trust.

2509. Mr. *O'Reilly.*] Am I right in understanding that what you wish is, that exceptional legislation against Roman Catholics, especially as confined to those two Statutes, should be removed, but not that they should be exempted in any way from any restriction which applies to all other Englishmen?—No, certainly not; we wish to be placed precisely on the same footing.

2510. You know, I presume, that both those laws are constantly evaded?—Constantly evaded.

2511. But, as I understand it, your position is, that while it is quite possible to evade them, you do not think it right and just as regards Catholics, or desirable as regards the State, that a law should exist which you believe in point of fact must be, as long as there are Roman Catholics in the

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the country, systematically evaded?—Most certainly; that our children are brought up by masters placed in the position of perpetually evading the law, or disregarding it.

2512. With regard to your means of knowing the opinions of the Roman Catholic laity in England, generally, upon this point, your family, I think, have been continuously English Catholics for some hundreds of years?—Yes; for a long period at all events; since the times of Charles the Second, continuously.

2513. You are well acquainted with the general opinion of the English laity?—I believe so.

2514. And also, as I understand, you are particularly able to speak to their opinions upon this point, in consequence of a large meeting of the laity that was held when the subject was discussed about two months ago?—Yes; the subcommittee requested several gentlemen to attend, but they are either absent from London, or unwell, and are unable to give evidence.

2515. *Chairman.*] Do we understand from what you say, that your amendment of the law would extend to repealing that penal clause in the Emancipation Act?—To repeal that penal clause, and also to do away with that law which has sprung up, partly perhaps from custom, and partly from the old Statutes, with regard to superstitious uses.

2516. But the effect of repealing the clause under the 10th of George the Fourth, would be to make those religious orders legal in their general character, and putting them upon the footing entirely of all other men who may live in community?—Yes; it would simply ignore them; it would put them upon the same footing as any other Protestant community which choose to live together.

2517. You are, of course, aware of the policy of the law in enacting that clause; do you state here any ground upon which that policy should now be changed?—It was generally understood at the time, as well as I recollect, that that clause was left in out of deference to a number of persons, particularly, I believe, in the Upper House, who would not have passed the Emancipation Act if that clause had not remained; and it was generally understood, I believe, that the Duke of Wellington conceded it in order to secure the passing of the Bill.

2518. Are you aware whether it has ever been enforced?—I believe never, or at least not to my knowledge.

2519. Is it part of your view then of the case, as you have stated it, that it is inoperative, although it is offensive?—Hitherto, I believe, it has been inoperative as far as the bodies themselves are concerned; but I object to the status in which our children at present receive their education from men who are under a certain slur and placed in an inferior position by the Legislature of the country, and who are perpetually disregarding a law made in respect to them, but which cannot be enforced.

2520. Practically, you know of no other inconvenience?—Not as regards the laity; I am not aware of any other.

2521. Are you aware that there has been a very great increase of late in England, of those about whom there is no question as to their belonging to certain orders, especially the Jesuits?—I do not know of late years; I believe that they have increased slightly since their arrival in the country; the colleges have increased in number, I think, and the number of young men sent to our colleges have increased certainly.

2522. But whether it is objectionable or not to evade the law, or at least to have a law hanging over them of that kind, practically they live in this country without the slightest fear of its enforcement?—I cannot say that they live without the slightest fear of its enforcement, for it may be enforced at any time, and the grievance exists; what I mean by the enforcement of the law is, that in fact they have a threat constantly hanging over their heads *in terrorem* and that reacting upon the students must have a prejudicial effect.

2523. Do you believe that the laws regarding the establishment of those orders, or the existence of those orders in this country, are peculiar to it, and that the same restrictions do not exist in some Catholic countries at present?—I do not think there are any restrictions. I think that, in some cases, there are prohibitions, but I am not aware of any restrictions. In some countries there are prohibitions, but I am not aware that when they are once admitted there are any restrictions, or that they are placed under any kind of control.

2524. For instance, are there not special laws in France affecting religious orders of men with respect to their holding property, and with respect to their government when associated together in any house?—I do not know: but that refers to the whole of the country. I do not think that there are exceptional laws with regard to particular houses; they are general laws for the whole of the country which would affect everyone equally.

2525. I allude to special laws affecting the religious orders?—I am not aware of any special laws; there were prohibitions, and there were special laws at one time against them, all of which have been removed. I believe they are on just the same footing as any other parish priest or priest in France.

2526. I am referring to the special law affecting the acquisition of property certainly, but generally affecting those religious orders in France?—I am not aware that there are. With regard to some vows, I have heard that they are made for a limited period; but that does not affect their property or their status.

2527. With respect to the acquisition of property, I presume that your particular objection to the law, as it stands now, is that any deed of gift or any bequest might be rendered void to a certain extent, that is to say, so far as it was to be applied to prayers for the dead, or what is termed in the Statute superstitious use; but do you extend that remark to the laws of mortmain, which prevent the acquisition of property in perpetuity by spiritual corporations?—The laws of mortmain, as I understand them (I speak with diffidence, not being a lawyer), refer to all the members of the community just as the present laws passed for the education of the members of different bodies affect all equally. I believe that that is the case at present as to the laws of mortmain, but we do not object, individually as Catholics, to the laws of mortmain.

2528. You approve of the policy of the law which prevents land becoming inalienable on being acquired by any corporation?—Generally, I do. I suppose that that is the general feeling of the country, and personally we do not object to the law; it refers to all persons equally, it is not a special law.

2529. Are

2529. Are you aware that that law is evaded, and being successful as an evasion it cannot be reached by the law with respect to mortmain, and that property is held now by religious houses as continuously, by means of joint tenancies, as it used to be in times when that was legal?—I am under the impression that it is generally by trust; the money is generally put into a trust; it is so in this case. Generally it is not left or given to bodies, it is given to particular trustees for a certain purpose.

2530. There seemed to be two ways in which property is acquired; it is acquired in the way that you point out by trustees being named, who are not immediately cognisant of the nature of the trust; but it is also acquired by conveying the property absolutely to individuals, as joint tenants, which joint tenancy is kept alive by carefully supplying the lives as they drop in. I presume that if that tended to all the evils which the Statute of Mortmain was intended to rectify, you disapprove of it?—In so far; but I do not disapprove of the Statute of Mortmain as a special Act. I might object to it as any Protestant or anyone else might object to it with regard to corporations; anybody that felt an interest in a favourite corporation might object on the same grounds.

2531. Will you make that a little more clear; what is your precise objection to land being conveyed to trustees who have an understanding that it is not for their personal use, but who have not any power over its application, but who have faith that it will be applied in the manner in which the donor intended. What is your objection practically to that system which prevails amongst Catholics now?—Probably the same. I do not know that there is any one particular objection, except so far as it is to a certain extent disregarding the law; but that is equally done by others.

2532. But has the person who has the legal estate any power of control over the application of that property?—I cannot undertake to go into the legal question, I am not sufficiently conversant with it.

2533. But is there any practical inconvenience now from such a state of law, that, supposing a trustee were to see any misapplication of that property, he could not come before a court of law?—He could not come before a court to rectify it; he would have no standing before a court.

2534. And we understand that your view is that a conveyance, if it is shown to be a trust for a purpose not recognised by law, would be a void gift or bequest altogether?—Yes, but that would apply to others besides Catholics, and therefore we do not object to the law of mortmain on that ground, because it applies to all; it would not touch us individually as Catholics.

2535. I think that mortmain is one thing and superstitious use is another; if a gift was avowedly for a superstitious use, if you went to the court to cause a proper application of that trust, it would not be supported in the court, and the deed would be so far void for the purpose to which it was made?—Practically mortmain is not the same as superstitious uses; the grievance we feel is generally with regard to testamentary documents; it is not so much with regard to the disposition of property during life, but as regards legacies.

2536. Still the trustee would have no control over that property?—No, certainly not.

2537. Supposing that the intention of the testator was not avowed, but some persons were aware of what those intentions were; supposing that you were fixed upon yourself as a trustee without any immediate intimation as to the purpose to which it was to be applied, although knowing perfectly that it was some religious purpose which the testator had in view; could you inform the Committee who would have the administration of that fund?—I suppose it would lapse to the heir-at-law; but if the money was paid over upon the faith of a secret trust, such secret understanding would be carried out by any Catholic who was a trustee; but he would have no legal means of obtaining the property.

2538. But does it not occur that the trustees and the person who is cognisant of the intentions of the testator are not the same person?—Yes.

2539. And that as the person who is aware of the purpose the donor had in view, is independent of the legal trustee, the latter has no control over the property?—If he could prove that the trustee knew what the intentions of the testator were, no doubt that would void the trust.

2540. It is not in the discretion of the same person to apply this property, and there is no redress in case he should misapply it according to the view of any person taking a different view as to the intention of the testator?—None at all.

2541. Would you say that that was an inconvenience now operating in consequence of the law with respect to the disposition of property for religious uses?—Yes, with regard to the distribution of property, but still more so with regard to bequest by will.

2542. But it is a difficulty with respect to which, under the present state of the law, you cannot seek the protection of the court?—We cannot go to the court and ask for any advice as to the distribution of such property.

2543. I think I understand you to say that all that you require is to be put upon exactly the footing of other religious bodies in this country with respect to the acquisition and disposition of property?—Yes, precisely so.

2544. Mr. *Jessel.*] Do I understand you to say this, that the children that are sent to those Roman Catholic colleges are aware that their teachers are under the hand of the law?—Most certainly they are.

2545. Then of course that does very seriously interfere with their respect for the law in general?—Yes, it does; I do not say that it interferes at all with their loyalty, or with their feeling of attachment to the law; but that is owing to the teaching of those professors and not to the action of the law, as it at present stands; the tendency of the law as it at present stands is rather to teach them to disregard and evade the law.

2546. What I understand you to think is this, that children seeing that their teachers themselves habitually disregard the law are not likely to have the same respect for the law as they would have if their teachers were protected by the law, and did not disregard it?—The tendency no doubt is to diminish their respect for the law.

2547. Mr. *Newdegate.*] You stated, I think, that your family had been Catholics for 800 years?—No, I said that they had been so since the time of Charles the Second.

2548. I know that your Lordship's experience

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with regard to the tenure of property in this country is greater than some of us have had; but, I think, you have said that you are not aware of any restrictions upon the establishment of those religious orders in France?—I am not.

2549. Perhaps you have not recently looked through the French Code?—I do not profess to be well acquainted with the state of the French Catholics.

2550. Are you aware that a contest has been going on between the Government of France and the officers of the Papacy, with respect to the jurisdiction of the French archbishops and bishops over those regular orders?—No; but I am not aware how that would affect their position or status; it might occur in any community where they are tolerated.

2551. You have not seen the letter from, and signed by, his reverence the Pope, which was produced by Monsieur Ollivier, the prime minister of France, in which the Pope claimed a separate jurisdiction over the religious orders generally, but particularly the Jesuits and the Franciscans?—No, I have not seen it.

2552. Then you are not aware that that letter was held to violate the *concordat*, which is in accordance with the fundamental statutes of the French empire?—The *concordat* is still existing; but that is effected by the laws of the empire; it applies to the whole of France.

2553. Are you aware that the Archbishop of Paris, in the French senate, declared that the fundamental statutes of the empire were in opposition, in fact, to the requirements of the Holy See?—I really have not entered into the question; I came here to state what affects us in England, as Catholic laymen.

2554. I put that question in consequence of your allusion to the laws of foreign countries; and I conclude that you have not studied the laws of France in particular relation to this subject?—Certainly not.

2555. You complain of the present restrictions under the clauses of the Act of 1869, against the erection and transfer of religious houses of the male orders and the restrictions against the Jesuists, and you also complain of the law against superstitious uses; supposing those laws were repealed, would it be possible to place the Roman Catholic body in the same position as other religionists?—I presume it would.

2566. But would they practically be in the same position as any other religious body in this country?—Certainly, I presume so.

2557. I am speaking, not of their being in the same position as any other religious body, so far as the laws of this country are concerned; but supposing the laws of this country, to which you object, were repealed, would the Roman Catholic body then be practically in the same position as any other religious denomination?—Yes, in this country the same as any other religious denomination.

2558. Do you conceive that they are not affected by the term of the brief of 1850, which is in fact a code?—I do not see that they are affected in any different way to others; more than the laws of any particular society in England or club would affect the members individually.

2559. Are you not aware that in this book, the Roman Catholic Directory, in consequence of that brief, there was an entire alteration in the mode of entry throughout England and Wales, and all items which refer to bishops or to priests or to convents of women, that there is an entire alteration in the form of that Directory in consequence of the brief of 1850?—Yes; I imagine it would be the same as any club or any voluntary body might make or arrange its own rules or regulations; it affects only ourselves with regard to our own internal organisation.

2560. But that internal organisation is declared, at all events, by the authority of the Holy See?—Yes, very possibly; but it has nothing to do with the laws of this country, it merely refers to ourselves, it does not alter our position with regard to the law of the land.

2561. May it not be necessary that the nation through its laws, as is the case with the French nation, whatever the form of government may be, should have some reference to the relation which you claim to sustain as religionists with the Holy See?—I can only state that the country for nearly the last 200 years has been passing these laws, and has now repealed almost every one as being utterly futile and unjust, except the few fragments which still remain, and which we have tried over and over again to get repealed.

2562. But, as a Roman Catholic, are you not aware that there are Statutes still upon record, passed centuries before the Reformation, in restraint of those organisations?—Yes, and I believe them to be equally futile; they may have served a temporary purpose, but there are the same religious orders now that there were then.

2563. Those laws were in restraint of their acquisition of property in this country, and in restraint of the influence that they claim to exercise?—No doubt, and I believe the greater part of them are repealed, except such as are embodied in the Statute of Mortmain.

2564. Are you aware that there is a relation between the Statutes against superstitious uses, as they are called, that is to say, the devotion of property to payment for prayers for the dead and the law of mortmain?—I believe that the law of mortmain is a Statute, and that the greater part of the superstitious uses is merely decisions of the courts of common law, and they are quite different. The one affects land, and the other has grown up very much by custom and the decisions of the courts. I believe the law against bequests for superstitions was commenced in Edward the Sixth's time, and since then it has been developed by the decisions of the courts, but it is on quite a different footing from that of mortmain, as I have understood it.

2665. But are you aware that the operation of the law against the devotion of property to prayers for the dead and the law of mortmain operate in the same direction; that is to say, to prevent the perpetual alienation of property to those purposes?—No, I should say not, certainly. The law against the devotion of property to prayers for the dead chiefly affects bequests, and the other affects the permanent settlement of land, and I understand the two to be totally distinct.

2566. Are you aware that in the olden time many of the Oratories were suppressed, because it was determined by Parliament, that whereas the dead die once the living may pray for them for ever, and that therefore the property became locked up in mortmain specially for that purpose?—I presume that any gift in perpetuum would not be recognised by law, but the law as against perpetuity is a general law which affects everybody. I imagine that the law of the land, would be practically sufficient for all purposes, and

nd would apply to all parties, Catholic as well s Protestant.

2567. And it is not peculiar to this country? —I believe not, so far as my information goes.

2568. Then in objecting to the restraint of the aw which you have mentioned, you do not so ar impugn the policy of our ancestors, as to say hat there should be no restriction?—I really ave nothing to do with the policy of our ncestors; what I complain of is, that we are now xceptionally in a different position from the rest f our countrymen. Whatever the general laws of he country are, we are quite content to abide by.

2569. But are you not claiming to be in an xceptional position as Roman Catholics?— Certainly not.

2570. But do you not claim before the world o be in an exceptional position; for instance, a osition different from the members of the Church f England?—Certainly not.

2571. Supposing that there was no special osition with respect to the Roman Catholic hurch or community, and that there was nothing ut a general law applicable to all religious com- munities alike, would the Roman Catholic com- munity then practically be, not as regards the law f England only, but practically for all purposes, n the same position as other bodies?—I can only speak at present as to the law of England; and n that respect we certainly should be on an equality, and we should not complain.

2572. But looking at the proposed change in the law of England, and the question supposes that change effected, if that change were effected would the position of the Roman Catholic body in this country be really analogous to the position of any other religious community in it?—I am not prepared to answer that question, because there may be other laws besides those two par- ticular ones, superstitious uses and penalties upon religious orders, which we are inquiring into. I am no lawyer, and I cannot undertake to answer such a question as that.

2573. The question does not relate to the law of England; your Lordship has made a sugges- tion, that suggestion being that there should be no distinction recognised or enforced by the law of England with respect to any portion of the Roman Catholic denomination, different from the law as applicable to other denominations; that was your Lordship's proposal?—Yes.

2574. I understand your Lordship to believe, that if that proposal became law, the position of the Roman Catholic denomination, if you please so to term it, in this country would practically be the same as that of any other denomination? —As far as the law is concerned, and our relation to the laws.

2575. The question does not relate to the law of England; my question relates to the posi- tion of the Roman Catholic community, if you will allow me so to call it, which is known to be different in every country in the world, and is so recognised by the laws of France; and I ask you whether, if no recognition of that dif- ference existed in the law of England, or by the law of England, the position of the Roman Catholic community in this country would prac- tically and really be the same as that of any other denomination whatever?—To such an ex- treme question as that I can only say that the question which we are now discussing is the position which we should hold in the eye of the law in England.

2576. Mr. *Pease.*] I understand your com- plaint is that a Roman Catholic leaving pr perty, real or personal, for charitable purposes, may do so; but coupling with it the condition of prayers for his soul, he is obliged to leave it to others without specific trusts?—At present that is the case.

2577. It is simply left to others upon honour? —Upon honour.

2578. And in case of any mal-appropriation of the implied trust, there is no redress in the courts of this country?—Not the least; he has no standing in the court.

2579. And you think that is not a position which, as an Englishman enjoying religious free- dom, you ought to be placed in?—I think we ought to have a standing before the Courts, similar to what every other Englishman has.

2580. Do you think that none of those which are termed superstitious uses by Act of Parlia- ment, or by the decision of the courts, come within the line on which the State is bound to step in and say, that those applications of pro- perty are inimical to the safety of the State, or inimical to morality?—I think if they are against morality, the existing law is amply sufficient to restrain them; I do not say that there are any such cases.

2581. Mr. *Chambers.*] You complain that there is some disadvantage, as there obviously is, in the instructors of your children being under penal disabilities, and that being known to the children and young people; you are aware, of course, that the Jesuits are not put under penal disabilities because they instruct your children, but that being under penal disabilities you select them as their instructors?—Precisely.

2582. Is there any reason why Roman Ca- tholics should select persons for the instruction of their children who are under penal disabilities rather than have those who are freed from them? —Yes, because that order is particularly devoted to education.

2583. I should suppose that other Roman Catholics would learn Latin and Greek, and teach them as well as the Jesuits?—But, gene- rally speaking, the religious orders devote them- selves more exclusively to teaching; they have no parochial duties; they have more time, and their training is particularly adapted for the education of youth, both amongst the Jesuits and amongst the Benedictines and other orders, and on that ground they are more frequently selected.

2584. There would be no practical difficulty, I presume, in getting teachers enough for all the children of the Roman Catholic gentry without having recourse to those who happen to be under the ban of the English law?—No, certainly not; but I think the majority of those who teach are under a ban in their position, and, practically experience shows that it is so.

2585. The law has not, in point of fact, im- posed any disability upon them, because they are the instructors of young Roman Catholics; but being under a disability they have been selected to teach, and you still, notwithstanding that, think that the law ought to be altered, and the disability ought to be removed on that ground? —On that ground, because those orders are par- ticularly devoted to education in the Catholic church.

2586. With regard to an implied trust, where there is no declared trust at all, where there is an

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absolute gift over to A. B., without any evidence of any trust whatever, does not a Roman Catholic stand in the same relation as anybody else?—No, certainly not; an executor generally has some instructions as to how he is to dispose of the property, whereas a Catholic executor or trustee has none at all; if it happened that the executor of a will was not a Catholic, or had no sympathy with the Catholic religion, those implied trusts or bequests would most probably be entirely ignored.

2587. But if any large gift of money or land was left to A. B., with no indication whatever in the terms of the instrument or will that there is any trust at all, does not every devisee or legatee in that case stand precisely on the same footing before the law?—No, certainly not; because every Catholic knows practically that such-and-such a sum comes into his hands as trustee, or legatee, or residuary legatee, for what the law calls superstitious purposes, and he has no guidance as to the distribution of the money.

2588. Surely that would be a question of evidence, and if there is no indication of it in the instrument under which the property passes, there is no distinction at all as regards the religion of the testator or legatee in their coming before the courts; it is a mere question of evidence whether there be any trust at all?—If I appended a codicil to my will leaving a sum of money for masses, my intentions would assuredly be set aside.

2589. No doubt; but I am speaking of a case where there is no declared trust, and the question I put is whether, where there is an absolute gift of land or money, you, as a Roman Catholic, are at a disadvantage. I cannot see the distinction; if there be no declared trust all parties stand precisely in the same situation before the courts; it is a question of evidence, if you go into evidence, to show that there is a trust, then that trust may be set aside on the ground of a superstitious use, but so long as there is no declared trust at all, all parties are upon the same footing?—Yes, but a Protestant can declare his trust which a Catholic cannot.

2590. That leads me to another question; are you of opinion that there should be no restriction whatever upon the application of property to religious uses, whatever those uses may be?—Provided they are moral uses, such as are admitted by the general law of the State; of course there may be a trust for an immoral purpose, or one which is practically prejudicial to the State; but we think that the leaving of money for masses does not affect the State in any way at all.

2591. At all events, you consider that it would not fall within the category of objectionable uses?—No, certainly not.

2592. You think that the power to give an unlimited amount during the lifetime of the party for those purposes does not render it expedient to continue the restriction upon leaving it by will?—No, certainly not; in many cases it is impossible that a person can leave it during his lifetime; in many cases he has not the disposal of his money till his death or except by will; I merely wish to say that it is practically done, and knowingly done, and yet it is illegal in both cases.

2593. *Chairman.*] In the Emancipation Act, in that clause which has been referred to, there is a provision that any persons who are objected to in the former part of the clause, might, upon application to the Secretary of State, obtain a license to dwell in this country?—There was a register set up at the time of the Catholic Emancipation Act, but I believe that there are none now existing who would come within that regulation.

2594. But there is no authority under which Jesuits or people of the regular orders can legally dwell in this country?—No, certainly not; after the extinction of those who existed at the time of the emancipation, it was understood that no others were to be admitted.

The Reverend William Thomas Gordon, called in; and Examined.

Rev. *W. T. Gordon.*

2595. Mr. *O'Reilly.*] You are a Priest and the present Superior of the Community of the Brompton Oratory in London, are you not?—Yes.

2596. You have been called to state the nature of your community, and especially with the view to our ascertaining how far it comes under our order of reference, which, therefore, I will read to you; the first part of the order of reference is to inquire into the property of institutions or of the members thereof, of conventual or monastic institutions or societies; but there is a second part of our order of reference which is more particularly applicable to this case, and that is the part which gives us the power of inquiring into the case of religious institutions of a conventual or monastic character; will you state as briefly and as clearly to the Committee as you can what is the nature of your community, so as to enable them to judge how far it comes within the reference?—Expecting to have to answer this question I thought it best to prepare in writing a precise statement of what I consider to be the character of our congregation; but before I read this I would beg leave to make a few preliminary observations upon the evidence which was given on Tuesday last, to show that we are called frequently a community of men; that I should at once admit. I do not wish to dispute that we are a community of men any more than that we are men; but as all men are not monks, so all communities of men are not necessarily monastic. Certain ground at Sydenham was spoken of as the property of those men. Again, I do not deny, and I should not wish to deny, that there is property at Sydenham which belongs to this community of men, only I do not think that if a body of men possess certain property as a body that proves that they are monks, because colleges and clubs are in a precisely similar position. Then, again, I should like to mention that all monks are not necessarily priests; there are very large congregations of monks, very few of whom are priests; but at the same time all secular priests have something about them which makes them similar to a monk; they are separated more or less from the world; they are all celibates; they are bound to recite their breviary, and in countries where it is allowed they wear an ecclesiastical habit; and, therefore, an association of secular priests, who might band themselves together for the purpose of carrying

arrying out their work as secular priests if hey thought it better, would have more the ook of a monastic institution than an association f laymen; but unless they have some rule or ome characteristic which would make laymen nonks, they would not be any more monks than would laymen in a similar position. Every secular riest is not a monk, and therefore 10 secular riests, unless they cease to be secular priests, do ot become monastic by living together; I only wanted to mention that first.

2597. *Chairman.*] I understand you that a nonk is not necessarily a priest?—Not necessarily a priest. A secular priest has certain things which makes him look like a monk, because he is separated from the world and wears a particular dress, and therefore, as I say, 10 secular priests living together, remaining secular priests, would have to outsiders, so to speak, the look of a monastic institution without being so the least in the world. I will now read this statement, and I am quite willing to give the fullest information upon any part of it: "The priests of the Oratory are an association of secular priests living together, but bound by no vows, oath, or promise of any sort. This association is not only not a monastic institution or a society of a similar character, but it is designedly so constituted as to be of a dissimilar character. Vows of poverty and obedience are essential to the idea of a monk or nun, whether they are for life or for a period of years, or only annual; but the priests of the Oratory not only, as a fact, take no such vows, but their constitutions expressly forbid their doing so, in order that they may remain strictly secular priests. To secure this moreover, it is provided (in Decretum XIV.), that even if the majority agree to take vows and to become religious, they by that act cease to be Oratorians, and must withdraw from the community. The members of the Oratory are perfectly free to leave without any dispensation, and each member retains the complete control over his private property both as to expenditure and disposal by will. He gives no account of it to any superior, and is only required to contribute a certain agreed sum to the common fund for his board and lodging while he continues a member. Each house of the Oratory is quite independent of and separate from every other house. In the instructions from the House of Commons to the Committee they are directed to inquire into certain questions respecting the property of monastic societies, and the members of such societies. This instruction evidently takes for granted that the property of the members of a monastic society is practically, because of their vow of poverty, the property of the society; but the priests of the Oratory not being a monastic society in any sense of the words, their private property is no more the property of the association than the property of a member of the Reform Club is the property of the club. To classify the Oratory as a monastic institution, would not only be inaccurate, but unjust, and would lead to many inconveniences. If another Committee were appointed to inquire into the property of colleges, seminaries, cathedral chapters, and ecclesiastical institutions of a non-monastic character, they would rightly consider that the Oratory came under their instructions. The first house of the Oratory was founded in Rome, by St. Philip Neri, 300 years ago. Since then, in many cities, similar associations of secular priests have been formed, taking that of St. Philip as their model, but having no connection one with the other. These associations are, therefore, well-known, and their character is an historical fact; and that this character is essentially non-monastic may be ascertained by consulting any work treating of such subjects; for example, Móroni's well-known Dictionary of Ecclesiastical History, vol. xxi., page 283, under the article "Filippini"; and, even in a popular work like Chambers's Encyclopædia, this character of the Oratorian communities is carefully stated; *vide* vol. vii., article "Oratory." The extract from Móroni is, "He (St. Philip) prescribed in the constitution that no vows of any kind should be made in the congregation, wishing that those who entered it should be bound only by charity (which means love in that case), and that if any desired to leave in order to embrace the religious state he should have full liberty so to act. Hence the priests of the Oratory are secular priests." And the extract from Chambers is, "The fathers of the congregation are a body of priests, living in community, but without vows, and under a constitution of a highly democratic character. They are at liberty to withdraw at any time, and, even during their association, each member manages his own financial concerns, only contributing a fixed sum to the common expenses of the community. Each house is distinct and independent."

2598. I want the Committee clearly to understand what is the exact position of the members of the Brompton Oratory; in the first place, am I right in saying that the association at Brompton has no connection, as regards property or control, with the members of any other community of the same sort in England?—Quite so.

2599. Do I understand that you have nothing to say with regard to the property, or with regard to the control of the members, or any obedience due at the Birmingham Oratory, or any other Oratory in the world?—Nothing whatever.

2600. Then you do possess, as a community or association, as I understand it, a church and house and garden at Brompton, and a house, as we have it in the return, and some ground at Sydepham?—Yes.

2601. Which is held, am I right in saying, substantially very nearly as the property of a club might be, for the common purposes of the members residing there?—Yes, I believe that is as near a description as you could give of the way the property is held.

2602. And then, as I understand it, each member pays an annual subscription equivalent to the cost of his board and living towards the institution?—Yes.

2603. And further than that, he does exactly what he likes with all his property?—Exactly.

2604. As superior of the Oratory, have you any control over the property of any of the other members?—None whatever.

2605. Have you, as a matter of fact, a knowledge as to what at this moment is the property of each individual member of the Oratory?—I do not know; with regard to two or three I may know it as personal friends, but as to the majority I do not know how much they have got.

2606. With regard to some evidence which I think you heard given on the last day that you were here, it was stated by Mr. Smee that Father Hutchison, when he was a member of your community, had not the control of his own property;

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that he clearly understood from his relative, and drew the conclusion from the facts that he had no control over his own property, but that it was in fact the property of the community; could you give us any grounds besides your own assertion for thinking that that statement was inaccurate?—Yes, I can. First of all, it was certainly most inaccurate; I think the very trial to which Mr. Smee has so constantly alluded would prove it to be so; it was stated by Father Knox in his evidence, that Father Hutchison had given to the community the sum of 7,000 *l.* towards building the house of the Oratory, but he stipulated that an annuity, amounting to the interest of that sum, should be paid to him during his lifetime; and Father Knox further stated, being on oath, that he knew that the annuity had been regularly paid to him up to the time of his death, which shows the relations of the Oratory to its members, that the members can make a present to the congregation, and stipulate that they shall have a certain income from it. Moreover, I have an extract from our book of resolutions, which I thought would bear upon this point. There were two resolutions; one was passed in December 1859, in these words: "To accept the offer of Father Antony Hutchison to carry out at his own expense the late plans for the library, subject to such alterations as shall seem good to the congregation of deputies," which would give you an idea of the relations in which they stand the one to the other. Just as a member of a club might offer to build a billiard room or a smoking room, and the club might accept it; so we accepted Father Hutchison's offer to do up the library, which he made, wishing to have a memorial of himself in the congregation, just the same as a person might give money to a memorial window in a church or a cathedral, or as a person might give money for a college library, in the same way. The same thing was done before, for I have this resolution: "Also it was resolved unanimously, to accept an offer of Fathers Hutchison and Wells to build a chapel of St. Philip in the bay next but one to the pulpit." We do, from time to time, if we like, make presents, and we are put down as benefactors, just as much as any stranger who would give a present to the congregation. Father Hutchison, as is well known to many of the Committee, was engaged in very large charitable works in Drury-lane, works which I believe are notorious throughout London, for the good that they did. One of them was a large ragged school, and an industrial school connected with it. In a report published after he had to give it up on account of his health, there is this passage; speaking of Father Hutchison: "Not only have his time and his health (in the hope of recruiting which he is at present abroad) been expended on the schools, but he has hitherto had to supply from his own private resources any deficiencies in the accounts." Unless you take the view as Mr. Smee did, that all those things were blinds, it is perfectly clear the relations in which we stand. Moreover, Father Hutchison was an intimate friend of mine, and I could tell the Committee very much how his money was got through. Unless you think that it is impossible that a man can get through his property without being under a vow of poverty, it is perfectly clear that Father Hutchison spent his money after his own free will. First of all, before he joined the Oratory, he had given over 1,000 *l.* to a church in Staffordshire, and then he gave 7,000 *l.*, which was mentioned on the trial, in building the house of the Oratory; he fitted up our library, which cost more than 1,000 *l*; he gave something towards a chapel in the church, and the expenses which he underwent in carrying on the schools at Charles-street it would be impossible to calculate; he made up every year the deficiencies himself; and he was an excessively liberal person, and really gave open handed to everybody whom he came across; and, moreover, in that locality he came across the poorest of the poor. And I can state myself, without any effort of memory, two cases in which he gave 100 *l.*, and in another 50 *l.* to a family in distress, out of his own money. In fact, he had provided for his own support by this annuity, and he spent his capital freely upon all the good works which he undertook, so that when he died his property was sworn under 5,000 *l.*, and that included a reversion of 3,000 *l.*, which had not come in before. He simply spent the whole of his property upon good works, having secured himself an annuity, in the expenditure of which he was perfectly free and uncontrolled as much as any charitable gentleman living alone in his own lodgings.

2607. A statement was made by the same witness that Father Hutchison had said that he could not give or sell some plate to his sister (it was hearsay evidence) with the family crest upon it, because it was the property of the community; could you, of your own knowledge, say anything with regard to the plate which was Father Hutchison's property?—If he did give any plate to the community, of course it would be a free gift, but my own belief is that he never did, because I know that before he joined the Oratory he had melted down a portion, I do not know that it was all, but certainly a portion of his family plate, for the purpose of having it converted into some church plate. As far as I know I have never seen in the congregation any plate used which belonged to Father Hutchison. My own belief is, that when he answered his sister, he said he could not give it to her, because it had been already melted down for the purpose of being converted into church plate.

2608. You are certain that he could not have answered that he could not give it away (if it was in his own possession) because it was the property of the community, because in that case it would have been his own property?—Quite certain.

2609. It was stated as one reason for believing Father Hutchison to be a monk, that he wore a religious habit as similar to those of monks; can you state that the habit is similar to that of secular priests in other countries, and not a monastic habit?—Yes, I can; in our constitution, drawn up for our guidance, and which we accept, it says that a style of dress is to be retained which becomes secular clerics, and at the time that the proclamation which was referred to last time was made, we discussed the question whether we could still continue to wear our cassocks about the streets as we did at that time, because we were not monastic; but we were told then by the lawyers whom we consulted, that the Act, whatever the Act was, referred equally to cassocks worn by secular priests, and therefore we could not do it.

2610. A statement was made that Father Hutchison could not visit his relatives or stay with them, because he was obliged, under obedience, to return to the community house; you

you have stated that there is no vow of obedience; but are there restrictions by the rules as to going out or staying out, except the ordinary one which exists in all well-regulated houses of returning at a reasonable hour?—None, excepting that.

2611. And being present at times when their duties to the community are to be performed?—Yes; as a matter of fact, I think we all agree among ourselves not to dine out except under special circumstances; but we all do dine out at times with our relations. Of course, if we dined out frequently it would very much interfere with our work. With regard to the restraint of intercourse between Mr. Smee and his brother-in-law, there was a letter read at the trial, which I think would show the Committee the exact relations in which they stood, if I might read it. For 11 years Mr. Smee never called upon him; he said it was difficult to get into the house, and Father Hutchison writes to express surprise at his coming to see him, because for 11 years he had never been near him, and otherwise his conduct shows quite clearly that they were not on very friendly relations. So far from the Oratory being so constructed that persons could never enter it, I think it is more open than most houses in London are; but it is perfectly true that there are times when our servants have instructions to say "Not at home" to certain persons, as in any other house in London, and that, I suppose, was said to Mr. Smee.

2612. How can you account for the language of the draft will which was used, and the opinion of Mr. Bagshawe which was mentioned?—In this manner: the subject of the draft will was suggested by the lawyer; we had employed him to prevent the property which belonged to the club, so to speak, passing by will to a relation, which was not intended. Mr. Bagshawe's opinion was asked as to how it was possible to escape the danger of one of the fathers of the Oratory leaving his property to a relation, unintentionally giving that relation a claim upon the common property of the association. I think, if fairly gone into, it would rather prove that we could leave our property to our relations instead of only to other members.

2613. In point of fact, that suggestion of the lawyer was made in consequence of the fact that the fathers of the Oratory could and did leave their property to relations; and it was to provide for the case of inadvertency on the part of a father of the Oratory making a will, and leaving all the remainder of his property to those whom he wished to leave it to, to his relations or otherwise, and leaving that which he in fact was holding in trust, namely, the community or club property?—That is so.

2614. As I understand it, you do not consider that you are in any manner an order, and you do not in any way come under the penal clauses of the Emancipation Act against monks or other religious persons bound by vows?—I should say I am quite sure.

2615. Therefore you can claim no privilege or exemption from questions on that ground?—Not according to my present conviction.

2616. And you possess, every member of you, private property which you have inherited, or get as other members of the community get it, from friends or relations; and if this Committee decides on inquiring into the property of the members of your community, they must, in fact, examine every member of it to know what he inherited, how he inherited it, who he got it from by gift, and what he does with it, and they would, in fact, be examining into private matters just as much as if they were examining me as to my property?—Certainly, quite so.

2617. Sir *J. Ogilvy.*] Have you any deed of incorporation or code of rules applicable to your community, showing the terms on which members are to join it, and the conditions which are to regulate them after they become members?—Yes.

2618. Would they have to subscribe to such rules?—The process is this. We have drawn up a copy of rules which are almost identical with those which were drawn up by a congregation of a similar nature at Rome shortly after St. Philip's death. We made a little alteration in them ourselves, and when a person wishes to join us, he is shown them in order to let him see the nature of our association. Then if he wants to come he is elected by ballot; but he signs nothing, and makes no sort of engagement, more than, of course, he understands what his object in coming to the association is, and we have to look at him to see if we think he would be a pleasant companion, and then he is elected by ballot.

2619. *Chairman.*] I believe those rules were produced at the trial that you refer to?—They were; there is a copy of them in the British Museum translated.

2620. What is the date of those rules?—That particular date, I think, is 1847. We have slightly modified the former rules which were drawn up after St. Philip's death, I suppose, at the beginning of the 17th century.

2621. But, substantially, they are the same?—Yes, substantially, they are the same.

2622. Wherever those communities exist, are they bound by similar rules?—If they choose; in this case, for instance, we slightly modified the rules for the sake of suiting ourselves better to England, as we thought.

2623. But not substantially affecting the original intention of the founder of this community?—No; it would not be allowed by the ecclesiastical authorities for a body of priests to call themselves priests of the Oratory who took different rules because of the confusion which would ensue. St. Philip did not found an order, as he states in his rule, and you find no provision at all for a congregation even existing in any other city. He merely formed an association in Rome, which has been taken as the model for other societies in other cities. It is a curious thing that each congregation springs up on its own basis, but it takes, as a matter of fact, the one in Rome for its model.

2624. Can you say whether it was a question whether property belonging to individual fathers should be considered as belonging to the community?—Yes.

2625. And did you recommend that it should not be?—Yes; some father urged it in writing, and St. Philip took the paper, and wrote "*habent et possideant*," shall have and possess.

2626. Practically, can you tell us whether the property belonging to any individual father ever is devised away from the community, or in any other way than for the benefit of the community?—Yes, there have been instances of its having been done so, although very few of us have as yet died.

2627. This community existed for some time before

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before the name of Father of the Oratory was assumed, did it not?—No, that was a mistake; when Father Faber was converted, he had living with him some young men at Elton Rectory, and when he became a Catholic he kept those young men together, and intended to found a community of his own, and Father Hutchison originally joined him in that undertaking; they were called Wilfridians, and they had a house given them by Lord Shrewsbury at Alton, in Staffordshire; they did intend to become regular monks, and they hoped in course of time to be allowed to take vows, and Father Faber, who had been the founder, lived with them; but after living together for more than a year, they agreed to break up their community; but most of them joined the Oratory; they entered as any other members, as novices, and were received in as novices; and so that community of Wilfridians entirely passed away. There were simply some people who had intended to found an order, as it were, and certainly some of them joined the Oratory, but the Oratory had no sort of connection with the Wilfridians more than that, and Father Faber then abandoned the idea altogether.

2628. Do you allude to the year 1848, when this Oratory was founded?—Yes; Father Newman came over to England with a band of friends who had been with him in his conversion, and they had an intention of founding an Oratory at Birmingham; others joined them; then it was determined to split into two; certain men split from their connection with Father Newman, and established a separate Oratory in London, and elected their own superior, and since that date they have been perfectly independent of him.

2629. But substantially it is the same kind of congregation or community?—Yes, the same kind of congregation; at the same time there is very little to prevent the community of the Oratorians very much modifying their customs; I mean, for instance, their work; and at Birmingham their work has been modified from ours by having a school, which shows the independence of the congregations; they keep a boys' school, which we do not.

2630. There is nothing to prevent your changing, in any way you please; and though you claim to be an independent community associated at present, subject to certain rules, you may have different objects and purposes to-morrow?—Yes; the only thing is that, I think, the authorities would object to our calling ourselves by the name of Oratorians if we entirely altered the whole idea of the rule, because that might lead to misunderstanding.

2631. Mr. *Bourke.*] To what authorities do you refer?—The archbishop might object to persons being called Fathers of the Oratory, which term has a distinct meaning, if we entirely altered our character.

2632. *Chairman.*] Did I rightly understand you to say that you are subject to the bishop?—We are subject to the bishop in all matters of the church, as priests; for instance, we could not hear confessions or preach without his leave; we are entirely subject to him as priests.

2633. You are, to all intents and purposes, as independent as any of the regular orders are of the bishop?—Yes; there is a distinct difference between us; the regular orders if they are once admitted bring with them certain privileges; for instance, they preach and hear confessions without leave from the bishop, whereas we have no privilege of that sort at all. The only thing which the archbishop could not do is that he could not tell us, for instance, to leave the Oratory and take some distant mission; having once allowed us to live in the house there, he could not order us out of the house to take some other mission.

2634. He could not interfere with you in any respect whatever in your church or congregation, could he?—Yes; he could stop our preaching or hearing confessions.

2635. And that he could not do with respect to the Regulars?—I am really not prepared to say; I know that he cannot do everything with respect to the Regulars, but I do not know what their privileges are.

2636. If they have built a church, for instance?—They must get his leave originally to build the church; no one could enter the diocese without leave from the bishop.

2637. You mean that the leave is derived from the bishop, not from Rome?—Of course the Pope could supersede any bishop, but a religious house would have to ask the bishop's leave before it established itself; but I think that when it had established itself it would have certain privileges which the bishop could not stop; but in our case we are simply depending upon him, with the exception that he could not move us about from one part of London or the country to another.

2638. What would prevent your claiming for yourselves the same privileges as any regular order?—Because we have not got them; I suppose that those privileges have been conceded.

2639. Conceded, not by the bishop?—No; but I suppose when they were approved at Rome.

2640. Do the regulars refer to their superior or their general at Rome?—Yes; or wherever he may be; some have their superior in France, some have him in Ireland, and some have one in England; but they have certain things in which they are bound together as an army.

2641. But at present you only refer to the bishop in England?—Precisely so; in England.

2642. And that upon rare occasions?—For instance, any leave which any other priests require we require the same; if we wanted to have any special service in our church we require the bishop's leave, and we should have to ask for it just like the parish priest of Chelsea.

2643. Did I not understand you that there is no actual obligation to be a priest belonging to this community, and that you might be laymen?—Yes, we might be, but that was not quite my intention in what I said at first; my intention was rather to call attention to this fact, that it would not be fair, because 10 secular priests live together, and look like monks, to argue that they were so, unless there was something about their status which made them cease to be secular priests and become monks; I rather referred to what Mr. Smee said last Tuesday, that we must judge by the look of things, and that the looks of things in this institution was so manifestly monastic that it was sufficient to carry proof with it.

2644. But I think you stated that monks are not always priests?—No, they are not.

2645. Therefore, in this case, they might look like priests, and they might all be laymen?—No, that would be an exception; we are supposed to be secular priests and clerics by the object of our association. I was asked the question the other day, by a man who wanted to come to be a member

ber without being a priest, and I said that it was so unusual that I did not know whether it would be granted, because we are an association of secular priests, for the purpose of carrying on a certain kind of work, namely, preaching daily, and constant attendance at the confessional.

2646. And in one case in this country in superintending education?—Yes, they have a school attached to their house at Birmingham.

2647. Is it not found, amongst those rules, that you must be in the priesthood?—They are spoken of all the way through as clerics and priests.

2648. The founder did not contemplate that they should be exclusively priests, did he?—It is understood all the way through; it grew up in the first place in this way: St. Philip merely had some friends living with him who carried on the work with him; at last it grew into more like a community, and after his death they agreed to go on living in the same way, and they drew up the rules which practically had existed before, and made them into constitutions upon which they intended to live; and we had taken them as our model. I ought to have said that we do have certain members living with us who act as lay brothers, not exactly as servants, but they look over some of the household offices, and they live with us; but they do not pay pension.

2649. But are they paid themselves?—No, they are not paid themselves, excepting their board, and they have their clothes given them; in the same way, they can leave any moment they like, or we could send them away any moment we like.

2650. Are they people of an humbler class of life?—Yes.

2651. When a father joins the Oratory, do you require some contribution from him?—Yes, he is bound to pay, as we pay, 52 *l.* a year, as his own pension, and for everything else we may keep ourselves; and we pay extra for certain things which we may vary in the use of; for instance, coals and candles, and such things as we require, we pay for extra. We pay for our board; but as to anything else, clothes, pocket-money, and everything else, we are perfectly independent, and have to pay for ourselves.

2652. Each individual pays his own account in that respect; but is there a sum which each contributes when he first enters?—No; there is only the pension, paid quarterly.

2653. Practically, I presume, there is something given on entering?—No, there is no sum given at all; in fact, a donation of money would hardly be received then, because it only could be given as a free gift, and one would hardly like, on a person joining, to take any money from him till he had been some time with us, and felt an interest in the institution; I think, if anybody offered me a sum of money on entering I should decline it.

2654. Has the community actually possessed itself of any land or houses?—We have a house and ground at Brompton, and a house and ground at Sydenham for a country house.

2655. That is near a burial ground, is it not?—The burial ground is a portion of it.

2656. Was that a gift made by any of the fathers?—It was a gift really of Father John Bowden, who had property at Lewisham, and this was a waste bit of ground which had not been built upon, and he gave it to the congregation for the purpose of having a change of air from London.

2657. There is nothing in the rules of the community to preclude it from acquiring property, whether by gift or purchase?—No, there is nothing about it; there is no allusion made in the rules to any common property.

2658. Was not the bequest of Father Hutchison to another father?—Yes, to another father.

2659. And the bequest made provision in case of his death before the death of the testator to go over to another father?—Yes.

2660. Is that founded upon any model form of will or deed that is known to the community?—Not at all.

2661. Is it only the custom?—No, not a custom; it was simply his own wish. He did not wish to leave any of his money to Mr. Smee. I do not think he had any other relations in the world but the Smees, and therefore he had only to choose between the Smees and some friend; he distinctly wished to leave his money to some friend, and not to the Smee family. I can only say for myself that I am perfectly free to leave any money that I have to anybody I like in the wide world.

2662. Do you do what is called missionary work; do you attend upon people as priests?—Yes, we do, in the parish.

2663. Do you perform all the duties of priests?—Entirely.

2664. When you say you have a parish, is it a parish the boundaries of which you have marked out for yourselves?—Which the archbishop has marked out for us. When we came to Brompton, Chelsea parish, which is a very large one, was divided, and the cardinal, I think it was, or his vicar general, marked out the boundary of what we call our parish, and which we look after as parish priests.

2665. And you administer religion there strictly according to the rites and ceremonies of the Roman Catholic religion?—Yes.

2666. There has been no question raised as to your right of doing so, having derived your authority from the archbishop originally?—Yes; a secular priest, when he is ordained, can either be ordained on his patrimony upon which he undertakes to show he can support himself, and that makes him, to a certain extent, independent of the archbishop; or he is ordained on the missions, as it is called in England; that is to say, the archbishop ordains him for his own purposes, and then he is bound to serve wherever the archbishop wishes. Of course a priest who is ordained on his own patrimony could not go and work wherever he likes; but supposing he chose not to work at all, the archbishop could not make him work, which is the same idea as they have in the Anglican Church of a title for orders. In our case we can demand to be ordained on our own patrimonies; that is to say, we undertake to the archbishop to support ourselves.

2667. But he does not require you to have duties specified, or to have any parish or district marked out where you are to officiate?—He does in this case; but what I wanted to show was this: even supposing that I was not at this moment a member of the Oratory, if I chose to go and live with my family, the archbishop could not insist upon my going, and doing a certain amount of work somewhere. I might say, "I am in delicate health; I have my own property, and I choose to live quietly;" I am perfectly free to do so if I like.

2668. Must you have his authority, supposing you resume your duties?—Yes, nobody can work in

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in a bishop's diocese without leave from him; but, on the other hand, a priest may decline working if he likes.

2669. To all intents and purposes, according to your statement, the Oratory is a religious community?—It depends upon in what sense you use the word religious; if you use it in a technical sense, the same as monastic, I should say, no; but if you mean a pious community for religious purposes, it is so, certainly.

2670. But you have no other purposes than those connected with the administration of religion?—No.

2671. Mr. *Newdegate.*] You mentioned a learned work, the Dictionary of Moreri; are you acquainted with the Dictionary by Louis Moreri, a priest and doctor in theology, published in 1740, in Paris?—I do not know the work.

2672. He mentions this:—"*Oratoire.**—Congrégation de prêtres établie à Rome, et en quelques autres endroits d'Italie, par Saint-Philippe de Néri. Ce saint homme qui, dès le tems qu'il était laïc, avait taché de porter un grand nombre de gens à la piété par l'établissement de la Confrairie de la Trinité, ayant reçu les ordres sacrés en 1551, entreprit de tenir dans sa chambre des conférences, où il se trouvait bientôt un si grand nombre de gens de tous états, qu'il fut obligé à demander aux administrateurs de l'église de St.-Jérome de la Charité un lieu ample et spacieux, qu'il accomoda en forme d'oratoire. Les exercises spirituels furent transférées l'an 1558 dans ce lieu, que Saint-Philippe ne quita que l'an 1574, pour aller demeurer à Saint-Jean de Florentins, où il demeura jusqu'à l'an 1563. L'église de la Vallicella lui avait néamoins été donné dès l'an 1575, du consentement du Pape Grégoire 13e, qui approuva sa congrégation. Tous ses disciples se réunirent dans cette maison, d'où le saint fondateur en détacha quelques-uns pour aller faire des établissements semblables à Naples, à San Severino, à Fermo, et à Palerme. On ne fait point de vœux dans cette congrégation, dont le général est élu tous les trois ans, mais il peut être continué autant de tems qu'on le juge àpropos. Il n'y a des maisons de l'Oratoire unies à la maison de Rome que celles de Naples, de San Severino, et de Lanciano; dans cette dernière on a établi un séminaire; les autres maisons, qui sont en assez grand nombre en Italie, sont séparées les uns des autres. Il est sorti de grands hommes de celle de Rome, Les Cardinaux Baronius, François-Marie Taruggi, Octave Paravicini, Nicholas Ifrondrati, Leandre Collorédo, et plusieurs autres." Moreri mentions this oratory as an oratory established in Italy with some different houses, but he also mentions another oratory, the *Oratoire de Jesus;* to which of those two orders does yours belong?—To the Italian one. The French one had some very marked contrasts. They had a general, and were quite different altogether from the associations called oratories in Italy.

2673. Has not your order a general?—No.

2674. There are two bulls establishing the order of Oratorians; under which of those two bulls or briefs are you constituted?—I do not know to what you refer.

2675. There is one brief of Paul the Fifth, relating to the Order of the Oratoire, and there is another brief of Gregory the 13th, which brief of Gregory the 13th goes into great detail as to the constitution and organisation of that order?—I think you will find it is addressed to a particular congregation, and not to congregations in general.

2676. No; they are both addressed to congregations?—If you look at the title, I am almost sure you will find that it was an oratory of the particular city it was addressed to.

2677. The first bull was addressed to a particular oratory, and it was in these terms:—Sec. I. "Dudum liquidem omnia beneficia ecclesiastica cum cura et sine cura, apud sedem apostolicam, tunc vacantia et inantea vacatura collatimi et dispositioni nostræ reservavimus; decernentes ex tunc irritum et inane si secus super his à quoquam quavis auctoritate, scienter vel ignoranter contigerit attentari. Cùm itaque postmodum parochialis ecclesia B. Mariæ Vallicellæ nuncapatæ, regionis pontis seu parionis de urbe per liberam resignatione dilecti filii Antonini de Adjuto, nuper ipsius ecclesiæ rectoris, de illa quam tunc obtinebat in manebus, nostris sponte factam et per nos admissam, apud sedem eamdem vacaverit et vacet ad præsens, nulliusque de illa præter nos hæc vice disponere postuerit sive possit, reservatione et decreto obsistentibus supradictis. Et sicut dilectus filius Phillipus Nerius presbyter Florentinus, ac præpositus nonnullorum presbyterorum et clericorum præfatorum et nominibus nobis nuper exposuit quod hi in ipsa ecclesia introduci cupiant, ac ita illis gratia assistente divina circa missarum et aliorum divinorum officiorum in eadem ecclesia celebrationem, et verbi Dei populo inibi interessenti prædicationem, aliaque salubria monita ad salutem animarum Christifidelium procurandum, et quamflurima pietatis opera exercenda intendere sperent, ut ex eorumdem presbyterorum et clericorum laudabili vita et doctrina dilecti filii ipsius ecclesia parochiani non parvam consolationem spiritualem suscepturi sint, si in eadem ecclesia una congregatio presbyterorum et clericorum de Oratorio nuncupanda, perpetuo angiretur et instituereturipsaque ecclesia cum onere curæ animarum ipsius parochianorum præfatorum eidem congregationi concederetur, ex hoc profecto divinus cultus ac ministrorum ecclesiasticorum numerus, in ea ad Dei lautem et eorumdem Christifidelium animarum salutem maximum susciperit incrementum. Quare dictus Phillipus asserens dictæ ecclesiæ, et ille forsan annexorum, fructus redditus, et proventus, super quibus pensio annua quadriginta scut. monetæ certæ personæ ecclesiaticæ illam annuatim percipenti, Apostolica auctoritate, ut dictus Phillipus etiam asserit reservata existit, centum et triginta ducatorum auri de camera secundem communem extimationem valorem annuum non excedere, eisdem nominibus nobis humiliter supplicavit, quatenus præmissus annuere de benignitate Apostolica dignaremer." (II.) "Nosigitur qui dudum inter alia voluimus quod semper in unionibus commissio fieret ad partes, vocates quorum interesset, quique divini cultuo argumentum et Christifidelium animarum salutem sinceris desideramus affectibus, pium et laudabili Phillipi Præpositi, ac presbyterorum et clericorum præfatorum desiderium summopere commendantes, apsosque Phillipum Præpositum, ac presbyteros et clericos à quibusvis excommunicationis, suspensionis et interdicti, aliique ecclesiasticis sententiis, centuris et pœnis, à jure vel ab homine, quavis occasione vel causa latis, si quibus

* Jean Marciano, Memorie Istoriche della Congregation de l'Oratorio; Galonius, Vita di San Philippo Neri; Bullarium Romanum, tome iii.

quibus quomodolibet innodati existunt, ad effectum præsentium dum taxat consequendum, harum serie absolventes et absolutos fore censentesi hujusmodi supplicationibus inclinati, in dicta ecclesia unam congregationem presbyterorum et clericorum sæcularium de Oratorio nuncupandam, sine alicujus præjudicio, auctoritate Apostolica tenore præsentium perpetuo erigimus et instituimus." (IV.) "Necon eidem congregationi illiusque rectori, ac presbyteris et clericis suo tempore existentibus, ut pro salubri statu et directione ecclesiæ et congregationis hujusmodi illiusque personarum quæcumque statua et ordinationes rationabilia honesta, ac sacris canonibus et concilio Tridentino non contraria cœdere, et edita reformare, limitare et mutare, ac ilia de novo condere prout et quoties eis secundum rerum et temporum qualitates videbitur expedire, quæ quidem statua et ordinationes postquam edita, reformata, limitata et mutata, ac de novo condita fuerint, à sede præfata approbari, et per singulares personas de gremio dictæ congregationes existentes inviolabiliter observari debeant, libere et licitè possint et valeant, auctoritate Apostolica et tenore præfatis indulgemus, liberamque desuper facultatem concedimus et elarginum"?—The whole of this brief gives certain privileges to the congregation established in the church of St. Mary de Vallicella, in Rome, which exists now, just in the same way as if we applied to the Pope now, and asked for certain privileges addressed to our church, we should get them.

2678. You are now looking at the brief of Gregory, but there is one of Paulus Quintus (*handing the same to the Witness*); does either of those briefs refer to the Oratorians as now constituted?—This one is to the French Oratory which we have nothing to do with; the Oratory of Jesus in France is distinguished from our congregation.

2679. And that is distinctly recognised by Moreri?—Yes.

2680. But it seems under this other brief, that of Paul, your congregation is recognised?—No; that only recognised the one at Rome, and we can either be established in the diocese by leave of the archbishop, or if we want it we must apply separately to Rome for a brief establishing us; supposing we wanted it, we might apply to Rome for power to do it, and the Pope might give to a house in London a brief, which would carry no privileges to any other house except that house.

2681. You describe yourselves as the Oratory of St. Philip Neri?—If persons use the words "Order of St. Philip," they use it in a wrong way.

2682. Are you not of the Order of St. Philip Neri?—No, because he founded no order whatever.

2683. I have used the wrong word; are you not the general congregation of St. Philip Neri?—He founded no general congregation; I think the history of it is perfectly plain; he simply founded an association of priests in Rome, and he gave no hint of his intention of having it spread about in different places; if any secular priests in other cities choose to form themselves into a similar association, and take the model which St Philip gave at Rome as their pattern, they have liberty to do so, if the bishop in the first consents, and being so founded as any other association, they might get certain privileges from Rome just as any confraternity in London might get certain privileges.

2684. They obtain their faculty, in fact, from there?—If they choose; they are not bound to do so.

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2685. But I conceive you have obtained a faculty from Rome?—We have, but we did not at first; but you must not think that that is anything remarkable; most churches in London have some brief from Rome giving them certain privileges.

2686. But as a congregation have you a faculty from Rome?—For certain privileges.

2687. I think Father Faber went to Rome, and Mr. Hutchison with him?—That was before they were Oratorians.

2688. Before the foundation of the congregation of which you are a member?—Yes.

2689. You say that it is a community, in the sense of living together?—Yes.

2690. But you say it has solely an appearance of being monastic, and you say that it is not monastic, because it has not a rule?—I do not think I said that.

2691. Have you a discipline?—I did not say it was not monastic because it had not a rule, because I think many associations may have a rule without being monastic; in fact, it is impossible to live together without some sort of rule.

2692. The distinction between a regular priest and a secular priest is, as I understand, that the one lives according to a rule belonging to some order; is not that the fact?—That is the etymology of the word, but I think you will find that the distinction always given is that one must be bound by a vow, and the other not.

2693. This is generally a congregation of priests?—Yes.

2694. I hold in my hand the "Pontificale Romanum," which I obtained from Mechlin, published in 1845, and this is the promise of obedience which you have made as a priest on being ordained; I will read the words, and then put the book into your hands. The archbishop, or whoever is ordaining, uses these words: "Tum genuflexus adhuc ordinatus point manas suas junctas inter manas pontificis interim dicentis: si suus sit ordinarius: Promittis mihi, et successoribus meis reverentiam, et obedientiam? Et ille respondet: Promitto. Si verò pontifex non est suus ordinarius, cùm manas ejus inter suas tenet, ut præfertur, dicit presbytero sæculari: Promittis pontifici ordinario tuo, et sacerdoti verò regulari: Promittis prælato ordinario tuo, etc.: Promittis pontifici (vel prælato) ordinario tuo pro tempore existenti reverentiam, et obedientiam? Et ille respondet: Promitto." I will ask you whether that is not a correct copy, from where I began to read of the Pontificale?—Yes; it is certainly a correct copy of the Pontificale, as far as I know; I am unfortunately, not being a bishop, not quite fully versed in it, but I made, I believe, all those promises on being ordained priest, and I certainly mean to pay every respect, and reverence, and obedience to the archbishop, so that I have no difficulty about the promise.

2695. But you will observe that in the order of ordaining there is a different mode and different terms employed to a secular priest and a regular priest?—Yes, and we should follow the mode of the secular priests; there would be no distinction made in our case at all.

2696. Who is your Ordinary?—The Archbishop of Westminster, Dr. Manning.

2697. Then I understand that Archbishop Manning is the ordinary whom you, as superior of this oratory, obey?—Yes.

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2698. To whom you have sworn obedience?—Yes, according to the form there.

2699. Then the Archbishop recognises the Oratory?—He does.

2700. I hold in my hand a translation, which I believe to be correct, of "The bull of our Holy Lord Pius 4th, through Divine Providence, on the Form of the Oath of the Profession of Faith," and this is the obligation which the bull says shall apply in these terms, "Since, then, according to the arrangement of the Council of Trent, all those who henceforth should be set over cathedrals and the superior churches, or to whom it should happen to superintend any of their dignities, canonries, and any other ecclesiastical benefices whatever, having cure of souls, are bound to promise and swear that they will make a public profession of the orthodox faith, and that they will remain in the obedience of the Church of Rome, we being willing that the same shall be observed also by all persons whatsoever belonging to monasteries, convents, religious houses and all other places of every order of regulars, even of the military orders under whatever name or title; to this effect, in order that the profession of the same faith may be uniformly exhibited by all, and that one certain form of it may become known to all, discharging the office of our solicitude," and so forth. Further on the person who is to make profession of this faith says "I acknowledge the Holy Catholic and Apostolic Roman Church for the mother and mistress of all churches; and I promise and swear true obedience to the Bishop of Rome, the successor of St. Peter, Prince of the Apostles, and Vicar of Jesus Christ. I also profess and undoubtedly receive all other things delivered, defined and declared by the sacred canons and general councils, and particularly by the Holy Synod of Trent; and likewise I also condemn, reject and anathematise all things contrary thereto, and all heresies whatever, condemned and anathematised by the Church." I have two translations here by good scholars; I believe that is the purport, is it not, of that declaration required under the brief of Pius the 4th?—I really do not quite catch what you are referring to. There is the creed of Pope Pius, which is commonly used by converts to which that may refer, but I really do not know.

2701. Is that not a true translation (*handing the book to the Witness*)?—I have no doubt that it is a correct translation; I do not know where this is supposed to be made; I do not know what is being referred to at all.

2702. This is another copy deposited at Oxford, and I believe it is a correct copy?—I have no doubt it is.

2703. Every priest promises obedience to the Holy See, does he not, in the terms I have read?—Yes, every priest.

2704. The congregation of the Oratory to which you belong has been recognised, has it not, by the Pope, that is, by the supreme authority of the Roman Church?—Yes.

2705. This particular oratory of which you are superior, has been duly recognised?—Yes. May I make one remark, that a great number of the confraternities in London have been equally recognised.

2706. But this is a congregation of priests, and it has been recognised by the Holy See?—Yes.

2707. And you have stated that your ordinary is Dr. Manning, whom you describe as the Archbishop of Westminster?—Yes.

2708. And he has recognised the Oratory, and you as superior?—Yes.

2709. Then if I understand rightly, owing obedience to the Holy See and owing obedience to Dr. Manning as superior of the Oratory, you are bound to inculcate obedience to those authorities, according to the rules of your institution, which have been sanctioned by the Holy See?—Yes; I do not know what the meaning of "according to the rules of your institution" means. I am only bound to obey the bishop and the Pope like any other priest. Of course our institution supposes that we are Catholic priests, and that we are bound to obey the bishop, and bound to obey the Pope. I do not see what is peculiar to me in that.

2710. You are bound to maintain discipline within the Oratory, are you not, it being an establishment over which your authority is recognised, first by the Holy See, and then by Dr. Manning, whom you describe as Archbishop of Westminster?—I certainly am bound to do my best to maintain proper order and discipline in the Oratory. I do not quite see what is the use of the reference in your question to the Archbishop of Westminster; I am responsible to the archbishop to a certain extent. I suppose if any priest were doing anything against the good order of his diocese, he would ask me how I allowed it in the house without telling him; but the archbishop could not come and inquire into our private concerns, any more than he could into the private concerns of a secular priest. The archbishop's authority, of course, is limited by custom. You do not suppose that when a secular priest promises obedience to his bishop, he entirely becomes that bishop's slave; he merely obeys him in things proper to his office.

2711. You are aware that, under the brief of the 9th of September 1850, all previous customs were cancelled by the authority of the Holy See?—Are you speaking of the brief establishing the hierarchy of England?

2712. Yes; are you aware of that brief?—I do not know that brief much.

2713. In the case of your own establishment, you have explained to the Committee that, in consequence of the facility or privilege that you have obtained, or rather, I believe, your predecessor obtained from the Holy See, your obedience to the bishop is limited by the definition of the privilege which maintains your congregation?—Yes; but not more than he had himself limited it by allowing our congregation to be established in his diocese.

2714. Then you had the authority of Dr. Manning, whom you describe as Archbishop of Westminster?—It was Cardinal Wiseman, I think, at the time of the Oratory.

2715. You had the authority of Cardinal Wiseman, the predecessor of Dr. Manning, whom you describe as Archbishop of Westminster, for your establishment, and for the discipline which you maintain there?—Yes.

2716. In fact the members of your congregation are by those authorities set apart for the particular functions of your congregation?—Yes.

2717. And that was the meaning of your answer to the Chairman, that you could not be sent to one place or another, or appointed to functions inconsistent with the privilege which your

your establishment has from the Holy See?—Yes; but I might add, to prevent misapprehension, that it might be the same with any professors of a college; there is not anything peculiarly monastic in that; a college might have the privilege of not having their professors taken from them after they are once established.

2718. You stated that the establishment at Birmingham has the privilege of teaching, or the function of teaching, which your establishment at Brompton has not?—Yes; which shows that we are dependent upon the bishop, to a certain extent, and independent of each other; it is no privilege; it is a work.

2719. But has to each of those establishments, it has its particular functions and particular constitution recognised and established by the sanction of the Holy See, and that sanction and regulation are recognised by the bishops?—Might I explain; an association of priests might undertake any work at all; they might get a brief from the Holy See, blessing and approving their works, and the archbishop might consent to allow them to abstain from other work for a time, until they had finished it; if persons think that a brief from Rome implies something very extraordinary, they ought to be informed that even individual Catholics get briefs.

2720. But your congregation is formed upon the model of others?—Yes.

2721. Recognised and declared in works which have been popularly put forth by your predecessor as proper to a congregation of St. Philip Neri?—Yes.

2722. Then you are strictly, in the sense of the Roman Catholic See, a congregation according to the institution of St. Philip Neri?—Yes; which institution is not monastic, but is a community of secular priests, as stated in the brief of the Pope, and everywhere where you see it referred to in any formal document; and, therefore, to say that we are not secular priests would be to alter the description of us which you will find in every authentic work.

2723. Nothing that I have said implies that you are not secular priests, but you say that the privilege and regulation of your house is that you live in community?—"Privilege" and "regulation" are words which should not be put together; we do live in community, and if we left the community we should no longer be members of it certainly.

2724. I suppose you would have the Committee infer that there would be no peculiar dispensation required in order to allow any member of the congregation to leave the community of which you are superior?—None whatever.

2725. But so long as he is in that community he is bound to observe the conditions of that community, and the rules and discipline of that community?—I do not know what you mean by "bound."

2726. Is it not part of his engagement to do so on entering?—There is no sort of engagement on entering. Of course nobody would join, nor should we accept anybody who told us that he did not intend to obey the rules of the house, because he would be a most unpleasant member. We have power, under certain circumstances, of expelling unpleasant members, as any other association would have; but you can hardly use the term "bound" of any person who has never stated in any form of words that he does intend to obey us.

2727. You stated that you have the power of expelling, which of course is very necessary to discipline; that is a power common to yourselves and to the order, I suppose, and to several other orders?—And to every club.

2728. But it is common to the order of Jesuits and other religious orders?—Yes, and to every other association in the world, I should suppose.

2729. I think I gather that this congregation is an organisation known to the Holy See?—Certainly.

2730. And has the sanction of the Holy See?—Yes.

2731. And their joining that association to a certain extent limits the power of the archbishop over the priests forming part of it?—Yes; but of course he can limit it by refusing to ordain any priest to join it if he wanted to stop it.

2732. I am not speaking of the period prior to the ordination of one of those priests, but I am speaking of his status when a member of this congregation or community?—Yes; but as I stated before, other priests when the archbishop ordains them have a certain limit to the power which he has over them, and our priests are ordained on their own patrimony.

2733. But your previous evidence goes to the effect that both the priests who become members of this congregation or community and the archbishop occupy a relation towards each other defined by the sanction of the Holy See?—I suppose I must say yes, although that has not been the course of practice.

2734. Your vow of obedience, therefore, as a secular priest, is regulated in its application to each member of your community by the sanction which you have described?—How does my vow of obedience apply to the members of the community? I do not understand the object of the question. My promise of obedience is to the bishop.

2735. As an officer of the Holy See?—Yes.

2736. Then if the superior authority, in the manner which you have described, has separated the members of this congregation or community for particular functions, that separation and definition by the superior authority must bind the archbishop?—Yes, certainly, or rather it is that the superior authority has conceded to us a certain liberty; that is the case with every authority.

2737. I wish to understand that word, "liberty"; does it not mean liberty to live in community, and pursue certain functions and certain work which the Holy See has approved?—Yes, and so every parish priest has a certain authority from the archbishop; when he is really a parish priest he cannot be removed by a concession I suppose from the Holy See, which is the author of all authority in the Roman Church, therefore it is not peculiar to us.

2738. Therefore your relation as a community of secular priests stands *quad* the work to which you are separated from other parish priests in the same relation as the obligation of a parish priest to his bishop?—There is a similarity certainly.

2739. And therefore this community is as much established by the same sanction and aurity as the duties of a parish priest?—Yes.

2740. And one of the duties of you, the superior, and of the members of the congregation, is to maintain in your own case, and to obey in their case, the discipline of this community?—Yes.

2741. I think

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2741. I think I understand you to say that the oratorian order, at all events, the branch to which you belong, has no general?—I object to the word "order," and I object to the words "branch to which I belong," because that implies some common trunk, of which there is none.

2742. I will put the question in another form; you alluded to another description of oratorian order, and you said that that description had a general?—Yes.

2743. And you say that your branch has not a general?—No, it has not.

2744. Therefore the archbishop being your ordinary, stands in relation to you as the general does to the other branch of your order?—No; the expression "branch of our order" has no meaning at all.

2745. Then I will put the same question, only varying it by saying to the other oratorians of which you admit the existence?—I should answer that question by saying no; I do not think that the archbishop stands towards us in the same relation as a general to an order; the whole idea is quite separate; if a person does not know the ordinary sense in which those words are used, it is very difficult to answer the question. The archbishop is in no sense our general in the sense of a general of a religious order; the two ideas are perfectly incompatible.

2746. My question did not imply that the archbishop was general of your order; but I asked whether as your ordinary your obedience to him consistently with the rules of your congregation is not completely due?—Yes, certainly.

2747. You spoke of lay brothers, and you said, did you not, that you could dismiss them more summarily than the fully admitted members of the congregation?—Yes.

2748. How is the case with novices; can you dismiss a novice more easily than a fully admitted member?—Yes; he is not a member at all.

2749. What is the period of the noviciate?—Three years before he acquires certain rights.

2750. Should you consider the some period of noviciate necessary for a priest as for a layman?—Yes, because the object of it is to test his suitability to our association and his being an agreeable person.

2751. And that he is applicable to the work to which you have been separated?—If a priest could not preach or could not hear confessions, I do not think that that need be an insurmountable obstacle to his being a member of our association.

2752. I put the question again; what is the use of a noviciate for a priest unless it is to test whether he is a person well fitted to become a member of your congregation or community?—A person that we should like to associate ourselves with.

2753. Then am I to understand that your congregation or community has no duties?—It has duties certainly; but I say we might very possibly have a member who from some infirmity was not fit for all the objects of our institution; the principal ones are prayer, which everybody is fitted for; preaching, which all people are not fitted for, and hearing confessions.

2754. And also the propagation of the faith?—Every priest, of course, has that at heart and every Catholic too, I should think.

2755. Your community does not disown that which you consider to be a common duty and function?—Certainly not.

2756. And you would reject a novice who might feel neither inclination nor aptitude for his work?—Who was not a good Catholic, certainly we should.

2757. You would consider him not a good Catholic if he did not seek to propagate his faith?—Yes, certainly, in every way he could.

2758. Therefore you are associated for a certain work?—A work which is the ordinary work of priests.

2759. To be pursued in community?—Yes.

2760. And you admit those whose aptitude for that common work you believe in?—That is not the only qualification.

2761. But it is one qualification?—Yes certainly.

2762. Evidence has been given with respect to the property of the congregation, and also with respect to the property belonging to members of the congregation; is there no property which belongs to the community or to you, as superior thereof?—There is no property belonging to me as superior of it, excepting what I have myself; but there is property, certainly, which belongs to the community.

2763. And that property, as superior, you respect?—Yes, certainly.

2764. I have here attested copies of two wills; will you be kind enough to look at that attested office copy (*handing the same to the Witness*); it is in these terms: "Extracted from the principal Registry of Her Majesty's Court of Probate. This is the last will and testament of me, Frederick Fortescue Wells, of 25, King William-street, Strand, London, and now residing in the City of La Valetta and Island of Malta. I give, leave, devise, and bequeath unto the Reverend Frederick William Faber, residing at 25, King William-street, Strand, London, and in case of his decease, unto the Reverend William Hutchison, also residing at 25, King William-street, Strand, London, all sum or sums of money, securities for money, as well in private as in public hands, household furniture, plate, linen, books, and generally all other the residue, after payment of my just debts and funeral expenses, of my personal estate wheresoever and whatsoever for his sole use, benefit, and disposal, hereby creating him, the said Reverend Frederick William Faber, and in case of his decease, the Reverend William Hutchison, as my universal heir of such my said personal estate. And I constitute and appoint the Reverend Thomas Frederick Knox, also of 25, King William-street, Strand, London, sole executor of this my last will and testament, which, if from any unforeseen informality, should not be valid as such, then I desire it may have the force and effect of a codicil donation by reason of death, or any other less formal testamentary act. And I hereby revoke all former wills and testaments. Witness my hand and seal to this my said last will and testament, contained in two sides of a sheet of foolscap paper, in the aforesaid city of La Valetta and Island of Malta, this twelfth day of February in the year of our Lord one thousand eight hundred and fifty. *Frederick F. Wells.* (L.S.) Signed, sealed, published, and declared by the said testator, Frederick Fortescue Wells, as and for his last will and testament, in the city and island aforesaid, in the presence of us, who in his presence, at his request and in the presence of each other, have hereunto set and subscribed our hands as witnesses thereto on the day of the date above written."

itten." "Witnessed by P. E. Vermote and hn Cummings." This is an attested copy, and at will was proved for the benefit of the person erein named, was it not?—I suppose so.

2765. That constituted part of the property t of which the congregation was established? No.

2766. Are you quite sure of that?—That will, believe, left nothing at all. I was going to xplain why it is that so many fathers would naurally leave their property to some other father, ecause very often it consists simply in their ooks and furniture and pious objects, which I ink would be of little value to one's own relaons who, perhaps, may be Protestants; but he aves the property to one who understands its ature. Father Wells, I happen to know, died 0 *l.* to the bad, and what passed under that will as merely his books and furniture and pious jects.

2767. Whatever he had, passed under that ill?—Yes, under that will.

2768. To the persons therein named?—At his present moment I believe so; from my own nowledge I do not know what happened.

2769. Did you know Father Hutchison?—es.

2770. Is it not the fact that he was collecting library for the Oratory, you so stated n your evidence, I think?—No, he fitted up he library of the Oratory and put bookshelves nd that sort of fitting up.

2771. Did he not contribute some books?—Yes, we all do. We frequently give books to he library.

2772. The books there mentioned were left nder the will to him as one of the persons mentioned?—Father Wells' books, I remember as a fact, were sold to pay his debts; I bought some f them myself.

2773. If there had not been those debts you would have respected his will?—I should have nothing to do with it. The person who was executor would have acted upon the terms of the will, I suppose. I had nothing to do with Father Wells' will the least in the world.

2774. But the person mentioned as executor would have respected that will?—I believe so.

2775. You believe it?—Certainly.

2776. Now I will read to you another extract from the principal Registry of Her Majesty's Court of Probate: "I, the Very Reverend Frederick William Faber, of the Oratory, Brompton, in the County of Middlesex, Doctor of Divinity, at present Superior of the Association of persons consisting of Roman Catholic priests, students for the Catholic priesthood, and lay assistants, now associated, and living together in a society called or known as the congregation of the London Oratory of St. Philip Neri, which society is now established at Brompton aforesaid, do hereby revoke all testamentary dispositions heretofore made by me, and declare this to be my last will. I give the copyrights, which shall be subsisting at my death, of the several books and pamphlets of which I am the author, and also my unpublished manuscripts of a literary character unto the Reverend Charles Henry Bowden, of the Oratory aforesaid, absolutely, or in case he shall die in my lifetime, unto the Reverend Edward Gilpin Bagshawe, of the Oratory aforesaid, absolutely; and I think it right hereby to declare that I have not parted with, sold, or otherwise disposed of, any of my copyrights or manuscripts. I give, devise, and bequeath all my real and personal estate and effects, of what nature or kind soever, of or to which I may die, seised, or possessed, or in any way entitled, or over which I may have any disposing power, and which is not hereby otherwise disposed of, or may not be hereafter otherwise disposed of, by any codicil hereto, unto the said Charles Henry Bowden for his absolute use and benefit, or, in case he die in my lifetime, unto the said Edward Gilpin Bagshawe for his absolute use and benefit; subject in either case to the payment of all my just debts and funeral and testamentary expenses. I hereby declare that in case neither of them, the said Charles Henry Bowden and Edward Gilpin Bagshawe, shall survive me, or it shall be uncertain whether neither of them did survive me, it shall be assumed for all the purposes of this my will, and such will shall take effect and operate, and the gifts, devises, and bequests hereby made shall be carried out as if the said Charles Henry Bowden had survived me and died immediately afterwards. I appoint the said Charles Henry Bowden, if he shall survive me, sole executor of this my will; but in case he shall die in my lifetime, I appoint the said Edward Gilpin Bagshawe sole executor of this will. In witness whereof I, the said Frederick William Faber, the testator, have, to this my last will, set my hand this Twelfth day of August in the year of our Lord One thousand eight hundred and sixty-three. Signed, *Frederick William Faber*. Signed and declared by the said Frederick William Faber, the testator, as and for his last will, in the presence of us present at the same time, who, in his presence, at his request, and in the presence of each other, have hereunto subscribed our names as witnesses. William T. Gordon, clerk to the Oratory, Brompton; Charles Few, Covent Garden, Solicitor. Proved at London, 8th December 1863, by the oath of the Rev. Charles Henry Bowden, clerk, to the sole executor, to whom administration was granted;" that is a correct copy of the will?—I have no doubt it is; I do not think it is very difficult to understand; Father Faber's works were all extremely Catholic works; and to leave the copyright of them to his brother, who is an Anglican clergyman, would not have been very probable. I do not think it requires any great explanation that Father Faber should naturally leave his books to some person in whom he would trust to carry out the publication of them.

2777. It appears, as is proved by the production of the will of the late Father Hutchison, and also by the will of the late Father Wells, and also by the will of the late Father Faber, that it is the habit of members of the Oratory to leave their property to some member of the congregation, and the administration to other members of the congregation?—It has been so done; but it forms no part of our custom, no part of our rules; and I distinctly declare that we are as perfectly free to leave our money to whomsoever we like as you are.

2778. Subject to your sense of duty to your functions as priests and members of this congregation?—Everybody makes his will subject to a sense of duty, I suppose; and certainly in many cases there are very natural reasons why a priest should leave his property, when it is of a certain nature, to some friend, rather than to some Protestant relation who would be very much embarrassed by it. But there is no sort of inducement held out in any way for them to make wills

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in favour of each other; I cannot say that too strongly; I am as free as you are every bit, by every custom and every feeling of honour, and feeling of duty, and everything else.

2779. But your feeling of duty and honour, of course, being the Superior of this congregation, does not revolt against the practice which is described by the production of those wills?—I object to the use of the word "practice"; but my feeling does not revolt against any man leaving his property to whom he likes; but I deny that that establishes a practice, or that there is any practice of that kind established. Each of those cases could be explained, I think, if you knew the circumstances.

2780. You think there is nothing inconsistent with the known character and sense of duty which prevailed in those persons in the disposition which they made of whatever property they died possessed of?—I have no objection to the wills they made at all.

2781. And it is probably from this sense of duty and those feelings, that the property of which you are at present the administrator, as Superior of the congregation, has accrued?—No, I did not say that I thought it was the duty of those persons to make those wills; but that it was not inconsistent with their duty to make those wills; that was the question which you asked me.

2782. My last question was this: you said that you thought that such a disposition of property was not inconsistent with the character and sense of duty of the persons of the class whose wills have been produced before this Committee?—Yes, not inconsistent.

2783. And I ask you whether it is not probable that the property which this congregation occupies, has not so accrued?—No, it is not probable; certainly not.

2784. How have you or the other members of your community become possessed of this property, which is occupied in common?—Cannot people give money without willing it? Father Hutchison gave, as has been stated, 7,000 *l.* towards the building of the house.

2785. Then probably the contributions, out of which this property was aggregated, were by gift prior to death?—Father Hutchison gave 7,000 *l.* without any deed at all.

2786. And all those persons are bound to respect the organisation of which they are members, and the work to which they are devoted?—Yes, everybody is, I should think; that is nothing peculiar to us; everybody in the world, I suppose, is bound to respect the work to which he is devoted.

2787. And those persons are, as priests of the Church of Rome, devoted to this work?—To the work of priests.

2788. But as priests for the time being of the Oratory to the work of the Oratory?—There is no distinction between the work of the Oratory and the work of a priest; that is your mistake all the way through. The Oratorians are bound to do the work of priests in preaching, and in the administration of the sacraments, in a particular church. There is no object in the institute apart from ordinary priests' work.

2789. But you have described the distinction between your obligation as priests and members of this community as being different from the obligation of other priests not being members of this community?—I should not say that our obligations were different.

2790. Then I will put it that the functions are different; are they not?—No; we have the liberty to live together as other priests, and we have the liberty not be moved about at the archbishop's option; that is our only privilege.

2791. The privilege is that you are exempted from being moved about from one function to another, but other Roman Catholic priests may be moved at the discretion of the archbishop?—Yes.

2792. Mr. *Pease.*] Are you still of opinion that there is a broad line between a conventual and monastic institution and the congregation of which you are the superior?—Yes, I am distinctly.

2793. Have we been correctly informed that every member of a conventual or monastic institution or society must take three vows; one of obedience, one of poverty, and one of chastity?—Yes.

2794. If I understand you correctly you are not bound by any vow of obedience to the rules of your order?—Yes; we are not bound by any vow whatever of obedience.

2795. Except those vows which priests are under?—Yes; except the implied vow of chastity which every priest takes.

2796. As to poverty, you are not bound, as a monk is, to strip yourselves of all earthly possessions before entering the institution?—No; we retain our property.

2797. And you have no superior or general?—No we have not.

2798. And every conventual institution has a general, is that the line of demarcation?—Yes, they have.

2799. And do you take parish duty?—We do in this country and in many places.

2800. Does no monk take parish duty as a monk?—As monks they do, in this country, because they may do so.

2801. Then that is not the line which is to be drawn?—No it is not.

2802. Mr. *Bourke.*] I did not hear the beginning of your examination, but did you say in whom your common property, that is to say, the church and land, are vested?—It is held in joint ownership. I do not think that after what I heard the other day that I should like to particularise the legal title on which it is held, but it is held in joint ownership.

2803. I think you said that Father Hutchison kept an annuity for himself when he disposed of his property?—Yes; when he gave that 7,000 *l.*, which was only a portion of his property he stipulated that he should receive during his life the interest of it as an annuity.

2804. Then, was the money which he spent in charities and schools and so on about the town, the interest of that money?—No, because he had a great deal more property than that. I should think a great deal of it was capital; he had secured himself enough to live upon by that annuity and he spent his capital freely.

2804*. You said that your order has no connection with any other order of Oratorians in other parts of the world, is that strictly so?—Quite strictly so.

2805. No connection at all?—None whatever; it is simply the same friendly relation that a member of a scientific institution in London who went to Rome would have to a similar scientific institution there. When I go to Rome I am not bound to go to the Oratory. I have no connection whatever with it except that of sympathy.

2806. *Chairman.*]

2806. *Chairman.*] Does that apply to this country as well as to Rome?—Yes.

2807. Mr. *Bourke.*] Will you tell me in what way do you sympathise with the Roman Oratorians?—In fact they are a similar body to ourselves, the same way as if you were a member of a scientific society in England, a botanist we will say, and went to Rome and found an exactly similar society; if you gave them proof that you were a member, probably you would be taken as an honorary member for the time, and treated in a more friendly manner than another person would. But we do not live in their house when we go to Rome; we have no claim to do so there.

2808. *Chairman.*] Did I understand you to say that none of this community were monks themselves, or had been so?—No, and they never have been.

2809. Is there anything to prevent their being so?—Yes, it is one of our rules (which we could dispense if we chose, because we could dispense all our rules), that we should not receive a person who had been a monk.

2810. Then any one of the regular orders is positively excluded by your own rules from belonging to your community?—Yes.

2811. Do I understand you to say that you can vary those rules as you like, and whenever you like?—We can interpret the rules as we like; but it would be hardly fair to the archbishop to say, "We will establish ourselves under these rules," and then go and change them afterwards.

2812. If there was a change you would communicate it to the archbishop?—Yes.

2813. What is the rule with respect to changing names; if any father joins you, is it the case that you request him to drop his own name, and he takes another?—No, we do not require him to do so; it is simply this; I believe in Italy they generally call people by their full name; but in England we hate long names, and for familiarity's sake we have got into the way of calling each other by our Christian names; if I spoke of a father of the Oratory to an outsider, I should call him Father Faber or Father Hutchison; but speaking amongst ourselves we call each other after our Christian names; when there happen to be two fathers of the same name we then take the second name, and if he has not a second Christian name, we then take his confirmation name. All Catholics when they are confirmed take some name of some saint in addition to their baptismal name, and therefore it becomes one of their names; when a person is confirmed, the bishop calls him by his name; he may, if he likes, take the same name as his baptismal name, but, generally speaking, Catholics take a new name; the name of Anthony was taken by Father Hutchison when he was confirmed, but his baptismal name was William; there was at that time Father Penny, who is now in Dublin, and who has left the congregation altogether; his name was William; so Father Hutchison was called Anthony simply for convenience.

2814. To what period of his life do you refer?—He was converted, and, I suppose, he was confirmed at Birmingham immediately after his reception; generally speaking, after a convert has been received into the Church, he is confirmed at the first convenient opportunity; I do not know when Father Hutchison was confirmed; I did not know him in those days, but he must have been confirmed long before he was a member of the Oratory.

2815. And it was upon that occasion that he assumed the name of Anthony?—Yes; William was his own name; according to the practice of all Catholics taking a new name, when he is confirmed the bishop addresses him by this name; he says, "Anthony, I confirm you."

2816. Does he drop his other name?—No; he used to sign himself legally William alone, but commonly he called himself William Anthony Hutchison; I took the name of Philip when I was confirmed, and for some time I added it to my name; then I thought it would be convenient on account of legal documents to drop it; but my name in confirmation was Philip.

2817. Is it correct that on Father Hutchison's tombstone, the name of Anthony is alone inscribed?—No, it is not; it is William Anthony.

2818. Then there was no difficulty in his relative discovering whom the tombstone belonged to?—Not the slightest; I think that Mr. Smee made a complaint of Father Wells's tombstone, which he had nothing to do with; Father Well's relations did not object at the time; Mr. Smee was present at the time of the funeral, but, of course, no tombstone was then erected. Mr. Smee objected to the advertisement in "The Times," being William Anthony Hutchison, but that we put in because as a matter of fact he was known by a very much larger number of people as William Anthony Hutchison since he had become a Catholic than as William Hutchison.

2819. What is the number of your community; is it limited?—No.

2820. Has it gradually increased since it was founded?—It has varied very much; at this moment there are 15 priests resident, there have been more at one time.

2821. Mr. *Pemberton.*] Must they all be resident?—Yes, though they be absent for a time; there has one been away now for 10 months.

2822. If they *bonâ fide* cease to be resident, do they cease to be members?—Yes.

2823. *Chairman.*] But you have nothing to do with education?—No, excepting the poor schools.

2824. Are there poor schools in immediate communication with the Oratory?—Yes, we have in the parish about 500 children under our management and care.

2825. But does the Oratory support the school?—No, that is part of the parish work; we collect subscriptions from the parishioners for carrying on that work, and that we do as parish priests.

2826. Are subscriptions obtained for any other purpose?—When Father Hutchison founded the large ragged schools in Drury-lane, he obtained subscriptions for that purpose, but we have given them up since his death.

2827. Is there not money collected in the chapel?—Yes.

2828. Does that all go to the common fund?—No; as a matter of fact, we do not live by the church; therefore, we spend any money that we collect in the church upon the church, because it says in our constitution that we are, as far as possible, to militate upon our own stipend; that is, to live upon our own money; therefore, we have always abstained from using the money of the church for any other purpose but the service of the church.

2829. But collections are regular there?—Yes, like any other church.

2830. But they are generally applied to the church?—Yes.

The Rev. JAMES HARWOOD HARRISON, called in; and Examined.

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2831. Mr. *Newdegate.*] I THINK you are the Rector of Bugbrooke, near Weedon?—I was formerly; 12 years ago.

2832. I believe that your late son was captain of the school at Westminster, was he not?—Yes.

2833. And he was induced, at the age of 18, to join the Oratorians at Brompton?—I understand that he received a letter from Father Faber saying that if he would join the Oratorians they would allow him 100 *l.* a year, and they sent him 3 *l.* to pay his travelling expenses.

2834. That is a matter within your own knowledge?—Yes, certainly.

2835. Your son was re-baptised, I think?—He was baptised at nine o'clock at night.

2836. Was this contrary to your parental authority?—It was done to prevent my having any power of interfering; I have it in my son's own handwriting that it was done to prevent giving me any chance of interfering.

2837. I understand that your son became a novice in this establishment?—Yes; I have a letter in his handwriting, in which he states that he is a novice.

2838. Will you read the letter?—"You should not write to me about Father Faber in the way you do, only, of course, you do not know: to me he stands in the place of God and St. Philip, being superior of the Oratory where I am a novice."

2839. *Chairman.*] You are certain that that is his handwriting?—Yes, it is his handwriting; it is dated from the Oratory, and it is written to his sister. My son's prospects at Christ Church, Oxford (where in nine weeks he would have gone with 130*l.* a year, for seven years certain, with a good chance of a senior studentship) were in a moment blasted. One year before my son had all but decided to compete for the East Indian Civil Service; when, therefore, his prospects at Oxford were at an end, I offered to educate him with a view to India, and I thought that he had closed with my offer. But a letter came from Father Faber, which he received on the 10th of March, offering, as I believe, 100*l.* a year if my son would leave me and go to the Oratory. Father Faber acknowledges, in a letter I have kept, that he gave my son 3*l.*, which was to be used for travelling expenses.

2840. Mr. *Newdegate.*] Did your late son, by his expressions to you and other members of his family, and by his conduct, show you that he considered himself subject to a strict discipline?—His letter shows it: "If you wrote to me a letter abusing God and St. Philip it would make me love them, of course, the more, and it is the same with the father, but especially does it do so at this time when he is lying at Arundel on a bed of sickness and intensest agony, and, though recovering, even yet in a state of danger, all entirely resigned as he is to the will of God. I can never murmur at his slightest wish, however much I may not understand it; I know that he will never let me see any of my relations out of this house whilst I am a novice, except papa, out of respect to him."

2841. May I ask, did you judge from the expressions used by your son to yourself and the members of your family, that your son would b obedient to whatever might be enjoined upo him by the superior of the Oratory?—I thin that he was completely under the control o Father Faber; that is what I concluded fro the letters I had.

2842. And you formed that opinion from hi conduct?—I had no control over him in th slightest degree after he went there.

2843. You have stated that you conceive tha he was completely under obedience to Fathe Faber; and I ask you whether you did not form that opinion from the general conduct of you late son?—I should say so, decidedly.

2844. Did your son live long enough to be come a regular member of that order?—He live to be nearly 25 years of age.

2845. How long was the noviciate?—Three years.

2846. I think you stated that he joined at 18?—He was just turned 18 when he joined.

2847. Do you conceive that your son was a full member of this congregation of the Oratory at the time of his death?—In a letter to me he describes himself as a member immediately after he was admitted; a few days after he postulated, and a few days after he was admitted he wrote saying that he was: he described himself in this way, "I am an Oratorian, and a child of St. Philip."

2848. What was the date of that letter?—According to the dates that I have he postulated on the 29th of May, and this letter must have been written within about eight days afterwards, in 1861.

2849. That was within the period of the noviciate?—Yes; I suppose that the noviciate commenced as soon as he was admitted.

2850. And your son never left this congregation or institution?—Never,

2851. Mr. *Gregory.*] Have you that letter with you?—I was summoned in such a hurry that I had only an opportunity of making a few extracts; I do not think I have it, but I know I copied out parts of it.

2852. Mr. *Newdegate.*] Will you supply the date of that extract?—The date of the letter is June 4th, 1861.

2853. Your belief is that your son became a full member of this institution after his noviciate?—In the first letter that he wrote to me after, he said, "I am an Oratorian, and a child of St. Philip," and he then quoted a long passage of poetry ending, "We are Philip's gift to God." I have seen letters addressed to him, "The Rev. F. Harrison," whilst he was a novice.

2854. That was during his noviciate?—Yes.

2855. But your son remained in the Oratory till the period of his death, as I understand?—Yes, he died there.

2856. Seven years after?—He went there in May 1861; he died on the 18th June 1867. He was little more than six years in the Oratory.

2857. And you believe that he died a member of that congregation or institution?—Certainly; he said so, certainly.

2858. Then I ask you, had you ever, in your son's conduct, seen anything to make you or his family believe that he ceased to entertain the sense of

of duty and of obedience to the superior which he at first expressed?—No, I am not aware of it. He came to see me in the year 1863, and again in 1867, and then he seemed to me to be completely under orders. I tried to persuade him to stay with me; during the very year that he died I wished him to stay with me three or four weeks, but he said he could not. He seemed to me to have no control over his own actions, but to be completely under the control of the Oratory.

2859. *Chairman.*] Did your son constantly communicate with you during those seven years?—With most of the family. I was abroad a great deal; I have got, I dare say, from 60 to 100 letters by me that he wrote to myself or his brothers and sisters.

2860. Did he constantly refer to his relations with the superior of the Oratory?—I cannot exactly say, my memory will not serve me.

2861. Did he constantly speak of his submission, and his obedience, and his respect for the superior?—I do not recollect it in every letter, for I had not time to read over the letters before I came up.

2862. You have no reason to suppose that he was dissatisfied with having entered the community?—No; but he felt that he was perfectly dependent, and he did not like his dependent state; he frequently wrote to me to ask if I would make him an allowance.

2863. An allowance with a view to remain there?—Yes.

2864. There was no other reason why he wished to leave it?—No; he could have left it whenever he liked; I offered to receive him again if he would leave it.

2865. But you were not disposed to comply with his request if he remained there?—No; not when he was baptised at 9 o'clock at night; I should never have thought of such a thing; when I was told that he was going to enter the Oratory, I wrote to Father Faber the strongest protest that I could, to say that I could never give my consent, or make any allowance; but I assisted by allowing him wine and articles of dress, &c., from my London tradesmen.

2866. You do not know of anything that was done there, or what were the habits or practices of the Oratory while he was there; you cannot tell us anything about that?—No; I am not aware that I can particularly; I was summoned so suddenly that I had no time to refresh my memory with the facts; I only looked over two or three of the early letters, and made what extracts I thought might be necessary.

2867. Mr. *Gregory.*] Did you ever attempt to exercise your paternal control over your son for the purpose of withdrawing him from the Oratory?—I once intended to have applied for a writ of *habeas corpus*, but I felt confident it was no use.

2868. Without applying for a writ of *habeas corpus*, you might have tried by persuasion, as far as your means went, to withdraw him from the Oratory; did you do that?—Yes; of course, I tried to argue with him all I could, but it was of no avail; I had not the slightest chance.

2869. You, as a father, tried to exercise such power as you had, short of exercising your legal rights to withdraw him from the Oratory?—Most certainly I did; I protested against his going there, and I offered if he came out again to maintain him.

2870. What was his reply to that?—He said that he felt that he had a call from God to go to the Oratory to be a priest; that was the answer he always made to me; he died just about the time that he might have been a priest: there is a letter to me in which he said, "I have a call to go to the Oratory to be a priest."

2871. *Chairman.*] You know nothing yourself about the rules and conditions of this community, except what you might have gathered from the letters of your son?—I gathered from the letters of my son, and from other sources, that the house had a cloisterial character, that he was admitted by the comfraternity, that on admission he wore the peculiar dress of the order, that he underwent a very severe noviciate of three years' duration, and that females are altogether excluded from the interior of the building. Had my son lived to be a priest, he would not have assumed the dress of a secular priest, bnt have retained that of his order. This and the rule of abject obedience to the superior, and almost total seclusion from his family for the space of three years, coupled with the refusal to allow a sister to enter the house (although accompanied by her husband) to take farewell of a dying brother, on the plea of the absolute exclusion of females, all tend to show, in my opinion, that the Oratory at Brompton is a monastic institution; of course, I speak with great dlffidence, for it seems to me to be a question to be settled by courts of law; and I have understood that a court of appeal in Italy has given a decision that the Oratorians are a monastic institution.

2872. There was nothing to prevent his leaving the house occasionally, was there?—No; I am not aware that there was anything to prevent his leaving it.

2873. But you do not seem to be aware that those fathers must all be priests; your son never was a priest?—No, I believe not; I should say not.

2874. Your son was seven years there?—He entered in May 1861 and died in June 1867.

2875. Did he ever tell you that he made a vow of any kind?—No vow, that I am aware of, was taken by my son; had he been ordained a priest, he would then have taken a vow.

2876. Mr. *Newdegate.*] But the tenour of your evidence is that his sense of obedience was complete?—I should say so, decidedly.

Mr. JOHN MCDERMOTT, called in; and Examined.

2877. Mr. *Newdegate.*] YOU were at one time connected with the Brompton Oratory, were you not?—I was.

2878. In what capacity?—I belonged to the congregation of the Oratory, and subsequently I was a brother of the society called the Brotherhood of the Little Oratory.

2879. Are there several classes?—There was that class, because the general public were excluded from the Brotherhood of the Little Oratory; it was an entirely distinct association within the same precincts.

2880. *Chairman.*] I suppose in the same building?—In the same building.

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2881. Mr. *Newdegate.*] Can you state the nature of the promise that you made at the altar on becoming a brother?—The promise was very simple, because it was a distinct association from the fathers and brothers of the Oratorians. The association of the Brotherhood of the Little Oratory was entirely distinct from any of the priests and the brothers of the Oratory.

2882. *Chairman.*] You describe yourself as having belonged to the Brotherhood of the Little Oratory, and you were asked what you promised at the altar on that occasion?—At the time that I was enrolled a brother of the Little Oratory, I promised that I would uphold the authority of the then Dr. Faber (he was then the head of it), if it was necessary; and also I was to be guided entirely by the instructions of my father confessor, at that time the late Father Wells; he was my father confessor.

2883. Mr. *Newdegate.*] He was a member of the Oratory?—Yes; he was one of the priests of the Oratory.

2884. When you speak of a different association, does it meet in the Oratory at Brompton?—Yes, it does. I have not seen it for 10 years now; but at the time I saw it last, it used to be at the extreme end of the Oratory; that was the end of the residence of the priests and brothers. It was a detached building; it was a building at the extreme end. It was not exactly detached, but was close to it.

2885. If I understand you rightly, what you call a separate association is rather a separate class within the Oratory?—Except that it was not of a clerical character.

2886. It was a lay class within the Oratory?—Exactly.

2887. Can you state what constitutes a father, and what constitutes a brother, in this congregation?—I should like you to define the question; do you mean as to the fathers and brothers, or as to the class that I belonged to myself?

2888. You have stated the class to which you belonged, and I now ask you what constitutes an Oratorian brother, as he is designated, or a father, in that congregation?—A father, as far as I have been able to learn from members of the congregation themselves, was one who was bound by vows, and a brother was not; a brother was a novice.

2889. What do you mean by vows; do you mean that he was an ordained priest?—Yes.

2890. And that his vows formed part of the obligation by which he was bound in that institution?—Yes.

2891. And a brother was a novice?—Yes; a brother was a novice.

2892. I understand that there are from 30 to 40 bedrooms in it; can you describe the building at all?—I would not like to state the number of rooms that there are now, though I have been over the house, very nearly all of it.

2893. Are there a large number of bedrooms there or not?—There are a large number of rooms.

2894. Do they open into a corridor, or how are they arranged?—Yes, on the lower floor upon a level with the church there used to be a door leading from the church to a passage and in that passage the rooms were entirely devoted to private confessionals, as far as I am aware; and upstairs, through another door leading upstairs, there were bedrooms; underneath that was a hall called Saint Wilfrid's, if I remember aright.

2895. Do you consider that the building is of a conventual or monastic character?—Most decidedly.

2896. You know it well?—Yes, I know it well. I was always under the impression that the priests of the Oratory were as much monks as any other of those societies that I know of the same denomination.

2897. Do they assemble together?—I never saw them myself, but I hear that they all dine in one place, or are in the habit of taking their meals together.

2898. Then, I think that this institution is connected with two convents of women, is it not?—Yes, I believe so.

2899. What is your reason for believing it?—Because I have heard the inmates of one of those women's convents say so. They told me that they were under the control of the Oratory priests, and that no one else had any authority over them.

2900. What convent was that?—It was one that was then near the corner of Ovington-square, in the Brompton-road, and the other was somewhere in the immediate neighbourhood of Old Brompton, if I remember right, at the corner of Hertford-road or Victoria-road.

2901. Do you know the house and estate belonging to the Oratorians at Sydenham?—No; I know that there is one there, but that is all I know.

2902. You have not seen it?—I have never seen it.

2903. Do you know for what purpose it is used?—I think it was used as a place of punishment, or retreat for the fathers.

2904. You have never seen it, and you do not know whether there is a burial ground there?—Yes, I know that; but not from my own knowledge.

2905. When you use the expression "punishment," you mean a period of fasting and abstinence?—That was it; we boys used to call it punishment: when they sent them (the fathers) in retreat, that was the name given to it. They were sent there for periods varying from a week to a month, or they went there and we were told that they were sent.

2906. By punishment you mean a severer discipline?—Severer discipline than they otherwise would have in the Oratory at Brompton.

2907. But you do not know that from your own knowledge?—I do not; it is simply from hearsay.

2908. Do you understand that the house which you have described at Brompton belongs to the Oratorian congregation, or some of them?—It is the joint property of all, I am led to believe.

2909. That is your belief?—Yes.

2910. Do you know anything of the rules for the regulation of this congregation?—I have heard; I know nothing from my own personal knowledge, only from hearsay.

2911. Mr. *Pemberton.*] You said you thought that the difference between a father and a brother of this community consisted in the fact of a father taking vows, and a brother not; what authority have you for saying that?—One of the fathers.

2912. What was the name of the father?—If it is essential to the inquiry I will give it; but otherwise I would rather decline.

2913. What

1213. What I want to understand is this, did you understand from the father that a vow was taken as a member of the community, or was it simply a vow which he had taken as a priest?—As a priest.

2914. In that particular case was he a priest before he joined the Oratory?—No.

2915. Then he took one vow when he joined the Oratory?—Yes.

2916. I suppose you can hardly tell me whether that was a vow as a priest, or as a member of the Oratory?—A vow as a priest, I understand.

2917. Mr. *Gregory.*] You spoke of some promise that you made when you went to the Oratory, as I understand; did I gather rightly that it was a promise of obedience to the superior?—Yes.

2918. To whom did you make that promise?—It was to a person that is dead now, who was then the head of the brotherhood of the Little Oratory, Father Wells; I have heard that he is dead.

2919. Mr. *O'Reilly.*] You said that you were a member of what is called the Brotherhood of the Little Oratory, and on becoming such member you made this promise; what is that brotherhood of the Little Oratory; of whom does it consist?—Of laymen.

2920. Young men living in the Oratory district?—Yes; young men who had been members of the congregation.

2921. Members of the congregation of the Oratory; do you mean in the sense in which the priests are members of it, or laymen who are in the Roman Catholic parish of Brompton?—Yes; people who are in the habit of attending church.

2922. Young men living in the Oratory parish; tradesmen's sons and gentlemen's sons, you mean?—Yes.

2923. Mr. *Matthews.*] And married men, some of them?—No, unmarried men.

2924. Mr. *O'Reilly.*] Are they all necessarily unmarried?—I do not know whether it is necessary, but they were all unmarried; as far as my experience went, they were all young men or rather boys.

2925. Am I correct in describing it as exactly like the Catholic Young Men's Society, or the Christian Young Men's Society?—Yes, it may be so.

2926. What obligations did they undertake, or did you undertake?—None; only to be more attentive to my religious duties than I should have been in any other case.

2927. But it was only an association of young men who agreed to promise to observe their religious duties more strictly than they would otherwise have done?—Quite so.

2928. But in the same religious duties as other laymen?—Yes.

2929. To go to confession more frequently?—Yes, and to attend church oftener than you otherwise would do; that was the obligation upon you.

2930. Was there any specific obligation of attending church, or only as often as you could?—If you did not attend church, and you could do so, there was a penance attached to your not doing it.

2931. Then as to this promise of obedience, what did you understand by the promise of obedience; was there any obedience beyond the subject-matter of the association, behaving yourself as a good Christian?—No, only that; and we were to consider whoever was then the head of the brotherhood, our obedience was due to him, and he was in the same relation to another superior.

2932. Your obedience was due, in fact, whilst you were in the room; but you owed no obedience to him when you were in the world; you were not obliged to obey him in the ordinary matters of the world?—No, simply in religious matters.

2933. There are some rules, I believe, of this association?—Yes, I had a copy myself.

2934. Will you be good enough to put them in?—I wish I could; I have not seen them for 10 years, and it would be rather difficult.

2935. How often do the brothers of the Little Oratory assemble?—I think it used to be twice a week; Wednesdays and Fridays; I am not sure.

2936. The attendance is not obligatory, I think?—No.

2937. When they did assemble, what did they do?—Sing and pray; that is all.

2938. You said at first that, besides being a member of the brotherhood of the Little Oratory, you were a member yourself at one time of the congregation in the Oratory?—What I meant by saying that I was a member of the congregation is, that it was my parish church that I went to. I do not call the clergymen the congregation.

2939. When you said that you were at one time a member of the congregation of the Oratory, in answer to the honourable Member for Warwickshire, you simply meant that you were a Roman Catholic, living in that district of London, which is called by the Roman Catholics the parish of the Oratory?—Yes.

2940. Then you have no personal knowledge yourself as to the rules or institutions of the congregation of the Oratory, have you?—No personal knowledge.

2941. You said that one of the fathers of the Oratory told you that fathers or priests took vows, but that brothers of the Oratory did not take any; am I right in that?—Perfectly right.

2942. Did you understand that he meant to take any vow, except the obligation of a secular priest at his ordination?—That I could not say.

2943. What did you understand it to mean, then?—My understanding at the time I am not able now to go into. My impression was that he was under a vow, the same as any other Roman Catholic priest of any community.

2944. Not only of any community, but any Roman Catholic community?—But there are different Roman Catholic priests.

2945. And some are bound by other vows?—Yes.

2946. But your knowledge does not carry you further than that he was bound by the same obligations as other Roman Catholic priests?—Just so.

2947. Did you say that the members of two convents, or of one convent, told you that they were under the control of the priests of the Oratory?—One told me.

2948. About the other, what do you know?—I have simply seen the fathers going in and coming out of the convents.

2949. Have you ever seen any other priests, besides those of the Oratory, going in and coming out of the convent?—Never, and I was there every day; my duty took me past there frequently day and night.

2950. You saw members of the Oratory going in and out, but you do not know whether they had

Mr. *J. McDermott.*

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had anything more to say to it?—I know perfectly well that they were in the house; that is all I could know.

2951. What convent inmate was it that told you?—Of the one near Ovington Square.

2952. A member of one convent told you?—Two told me.

2953. Two told you that the inmates were under the control of the Oratory priests?—Yes.

2954. Can you tell me who those were?—Yes; Agnes Shea was one, and Catherine Sheeney another.

2955. Were they nuns?—No; they were boarders, I believe, in the house, or novices, or something of that description.

2956. Do you know whether they had any knowledge as to who had the control of the convent?—I suppose they must have had.

2957. Would boarders necessarily know that?—Yes, I should imagine so; if I was a boarder in a school I should certainly know who the master was, I think.

2958. Would not the nuns be the mistresses of the building?—I presume so.

2959. Mr. *Matthews.*] None of those members of the brotherhood of the Little Oratory live in the house belonging to the Oratory, I believe?—None.

2960. You have used the phrase "novice" as applied to brothers; that the brothers are novices, and the fathers are priests?—Yes: not of the Little Oratory, but of the Oratory, what you would call the congregation of the Oratory.

2961. You mean that there are two sorts of people whom you call brothers?—Yes.

2962. Mr. *Sherlock.*] How many years is it since you have had any connection with the brotherhood of the Little Oratory?—Not since 1859.

2963. *Chairman.*] Do you know yourself what are the vows that people take who belong to monastic institutions?—Obedience, I believe.

2964. But had you those vows in your mind when you thought that priests took vows, belonging to this Oratory?—Yes, I knew what they were.

2965. You knew the vows that they took?—Yes.

2966. They were not vows that are taken in monastic institutions?—I beg your pardon; I say I know the vows that priests take in general on ordination, and I imagine that the vows that the Oratorians took were of course the same.

2967. Do you know the vows that people belonging to those monasteries take?—I have heard so; I do not know them; I have never seen them written down by any competent authority.

2968. You did not mean those vows when you said that you thought the priests in the Oratory took vows?—Yes; I did mean those vows.

2969. Mr. *Matthews.*] Do you imagine that every Roman Catholic priest takes monastic vows?—By no means.

2970. Do you know what monastic vows are?—I cannot say that I do.

2971. Some vows that you did not know you thought somebody took?—Just so.

2972. Mr. *Newdegate.*] You answered that you believed that the fathers took vows, and you knew that they were priests?—Yes.

2973–6. It was owing to some difference with respect to the property of your family that you left the congregation, I think?—No; not through any property.

2977–8. It was from a conscientious objection that you left the congregation?—Yes.

2979. Mr. *Bourke.*] Are you still a Roman Catholic?—No; I have not been a Roman Catholic since 1864.

2980. Mr. *Newdegate.*] You left the congregation, and also became a Protestant, I think?—Yes; I subsequently became a Protestant.

2981–2. You were not expelled?—No.

Friday, 8th July 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. Cogan.
Mr. George Gregory.
Mr. Matthews.
Mr. Newdegate.
Mr. O'Reilly.
Mr. Pease.
Mr. Pemberton.
Mr. Sherlock.
Mr. John Gilbert Talbot.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. ROBERT ROSS, called in; and Examined.

Mr. *R. Ross.*

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2983. Mr. *Newdegate.*] I BELIEVE you are a ludent, resident in London?—I am.

2984. Where do you reside?—At 36, Vincent- quare, S.W.

2985. Have you a verified extract from the aluation list with reference to the Oratory at rompton?—I have.

2986. Will you have the kindness to read it to ie Committee?—I may say that I am perfectly ire of it to begin with, the extract being made y my own hand. I refer to the Roman Catholic)ratory, Brompton, so called, under the heading Name or situation of property." The name of ie occupier of the property is recorded as the Reverend William Thomas Gordon. Under the eading of "Name of Owner," I find "Trustees)r the Reverned Fathers who occupy, the Reverends J. F. Knox, E. G. Baghorne" which I understand ought to be Bagshawe), and the Reverend C. H. Bowden." Under the escription of property rated, it is described as House and grounds;" and, as I mentioned efore, it is described as the "Roman Catholic)ratory, Brompton," under "Name or situ- tion of property." The gross estimated rental f the property is 800 *l.*, and the rateable value of t is 667 *l.*

2987. With regard to the entries in the Roman Catholic Directory, you have procured extracts rom the valuation list I believe with respect to he Convent of Sisters of Mercy in Cadogan- street, London, S.W.?—It is described in the Romish directory as "Mercy (Sisters of), Cado- gan-street, Chelsea, S.W."

2988. Mr. *Cogan.*] Were these extracts from he valuation list all made by yourself?—By my own hand.

2989. Mr. *Newdegate.*] What is the extract with respect to that property?—Under "Name or situation of property," I have entered Cadogan- street; under the "Name of occupier," the Rev. R. G. McMullen; under the "Name of owner," Sir Francis Shuckburgh; under the "Description of property rated," I find "Industrial school"; the gross estimated rental is 255 *l.*, and the rate- able value is 225 *l.* In connection with this property there is a house in Cadogan-terrace, which is adjoining, under the "Name or situation of property;" I find Cadogan-terrace, Cadogan- street the Rev. R. G. McMullen is again the occupier, and Sir Francis Shuckburgh again the owner; it is designated as a house; the gross estimated rental is 85 *l.*, and the rateable value 71 *l.*

2990. Do you verify that extract?—I have done so.

2991. Mr. *O'Reilly.*] What is the exact de- scription of the last property?—Cadogan terrace.

2992. Mr. *Newdegate.*] Have you an extract from the valuation roll with reference to property held by the Carmelites?—Yes; under the "Name or situation of property" I have Hermitage Lodge, Lillie-road; the "Name of the occupier," Selina D'Orcott; the "Name of owner," J. T. Peacock; "Description of the property rated," "house, offices, and pleasure grounds"; the "Gross esti- mated rental" 126 *l.*, and the "Rateable value" 107 *l.*

2993. That is a verified extract?—It is a verified extract.

2994. Have you a verified extract with respect to the property of the Sisters of the Assumption of the Perpetual Adoration of the Blessed Sacra- ment?—I have; under the "Name or situation of property;" this is described as "Convent, Portobello-road, Notting-hill"; the "Name of the occupier" is Mrs. M. Burton; no owner's name is recorded; it is described under "De- scription of property rated," as a house; the "Gross estimated rental" is 420 *l.*, and the "Rateable value" 350 *l.*

2995. *Chairman.*] Is there any reference to these orders in the entries?—No; I got that in- formation from the Romish directory.

Mr. WILLIAM JOHNSON, called in; and Examined.

Mr. *W. Johnson.*

2996. Mr. *Newdegate.*] YOU are a Farmer, resident at Stretton-on-Dunsmore, are you not?—Yes.

2997. That is near Rugby?—Yes.

2998. I think you have been a member of the assessment committee of the poor law union?—Of the Rugby Union Assessment Committee.

2999. You have been so for many years?—Yes;

Mr. *W. Johnson.*

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I am not now, but I was from the commencement up to two years ago.

3000. You knew the property upon which the Convent of Princethorpe stands, before it was built?—Yes, well.

3001. Living as you do in the immediate neighbourhood?—Yes, about a mile from it.

3002. That property was sold for the purposes of this convent by a Mr. Benjamin Russell, was it not?—Yes.

3003. What is the name of that convent?—St. Mary's Priory.

3004. What is the name of the resident priest?—Father Grosvenor.

3005. Can you produce an extract from the valuation list with reference to this property?—Yes; I have one; it was all made in my presence.

3006. Will you be kind enough to read that extract, and verify it, giving me the name of the reputed owner, the gross estimated rental of the whole, and then the details?—The reputed owner is Miss Macdonald at the present time, who is one of the principals of the establishment.

3007. Just give the items from your list as they stand; what is the gross estimated rental of the whole property?—£. 858.

3008. And the rateable value, I think, is 20 per cent. less for building, and 10 per cent. less for the land?—Yes.

3009. Will you give the detail of the property; there is a farmhouse, is there not?—Yes.

3010. And 11 cottages?—Yes; 11 cottages and one school-room.

3011. The whole landed property amounts to 195½ acres, does it not?—It does.

3012. Of which 6½ acres may be considered the site and demesne of the convent?—Just so.

3013. This valuation was made, I think, in 1863, and you assisted in making it?—In June 1863.

3014. And the surveyor and the solicitor appeared before your committee, did they not?—They did; the convent was originally valued at 500 *l.*, and they appealed against that sum.

3015. Then it was stated by this surveyor that 2,000 *l.* was necessary to complete and repair the buildings on this property?—Yes; that was his statement.

3016. Since then additions and repairs have been recently made, and a steam engine and cooking apparatus added?—Yes.

3017. Mr. *Cogan.*] Do you know all this of your own knowledge?—Yes; I do.

3018. Perhaps you will tell us what has been added?—Those are the things that have been added: the cooking apparatus, a steam engine, and also a gas-house.

3019. Mr. *Newdegate.*] But, in your belief, this convent and the property having been put into complete repair, and additions made, has the 2,000 *l.* stated by the surveyor been expended?—I believe it has, and considerably more.

3020. But you believe that that sum, at all events, has been expended?—Yes.

3021. As one who was a member of the assessment committee, and accustomed to such calculations, do you believe that the property is now worth 900 *l.* a-year?—I do; fully that.

3022. What do you give as the gross value?—I estimated the gross value at more than 25,000 *l.*

Mr. Joseph Bishop, called in; and Examined.

Mr. *J. Bishop.*

3023. Mr. *Newdegate.*] You are a house and land agent?—I am.

3024. Resident at Atherstone?—Yes.

3025. You are Secretary of the Gas Company, are you not?—Yes.

3026. And Deputy Superintendent Registrar?—I am.

3027. Your brother is clerk of the guardians, is he not?—He is.

3028. Do you remember the purchase of the site of the convent at Atherstone?—Yes.

3029. How is that convent described?—It is now called St. Scholastica's Priory.

3030. What was the name by which it was first known?—It was dedicated to Our Lady of the Rosary.

3031. There has been a change of its description?—There has.

3032. Was there a change of occupancy also?—Yes; there was a change of occupancy too.

3033. The nuns who first occupied it have left it?—They have.

3034. Other nuns have arrived?—Yes.

3035. And there have been additions to the property, have there not?—There have.

3036. The nuns now occupying are of the Benedictine Order of the Perpetual Adoration of the Blessed Sacrament, are they not?—They are so described.

3037. Do you know where they came from?—From Colwich.

3038. The convent has been twice enlarged, has it not?—It has been twice enlarged.

3039. And additional property purchased adjoining the first property?—Yes; property adjoining on either side.

3040. Can you produce a certified copy of the valuation list, showing the reputed owner's name; the extent and value of the several properties now united, with the total of the estimated value of the convent, presbytery, and land?—I can, from the valuation list.

3041. Mr. *Cogan.*] Was it taken by yourself?—This has been extracted by my brother's clerk, and certified by my brother; and I have myself compared it with the valuation list, and am prepared to swear to the correctness of it. "No. of assessment, 10; name of occupier, Baker Sampson Choyce; name of owner, Anderson, Miss Ann, and others; description of property, land; name or situation of property, Watling-street-road; estimated extent, 5 acres, 3 roods, 35 perches; gross estimated rental, 40 *l.*; rateable value, 36 *l.*" "No. of assessment, 132; name of occupier, Gerden, Philip; name of owner, Anderson, Ann, and others; description of property, house and garden; name or situation of property, Owen-street; gross estimated rental, 19 *l.*; rateable value, 15 *l.* 5 *s.*" "No. of assessment, 255; name of occupier, Anderson, Miss Ann and others; name of owner, Anderson, Miss Ann and others; description of property, house, garden, and land; name or situation of property, The Priory; estimated extent, 3 acres, 2 roods, 32 perches; gross estimated rental, 200 *l.*; rateable value, 160 *l.*" "No. of assessment, 256; name of occupier, Anderson, Miss Ann, and others; name of owner, Anderson, Miss Ann, and

nd others; description of property, gardens; ame or situation of property, Mancetter-road; stimated extent, 2 acres, 1 rood, 14 perches; ross estimated rental, 11 *l.* 8 *s.*; rateable value, 0 *l.* 5 *s.*"

3042. Mr. *Newdegate.*] You have lately in our function of clerk to the gas company had me business transactions, I think, with the resent occupier of the Presbytery House?—I ave.

3043. I think his name is Mr. Atkins?—Mr. Atkins is the present occupier of the Presbytery House.

3044. And I think Mrs. Atkins, the wife, hom you saw, is sister to the Rev. Mr. Bowen, he officiating priest?—She is.

3045. Mr. *Cogan.*] You know that of your wn knowledge?—Mrs. Atkins told me so.

3046. Mr. *Newdegate.*] There was a question rising out of the gas for the chapel being supplied under the same account as the gas for the Presbytery, was there not?—Yes.

3047. Did you apply to Mrs. Atkins, as ccupier, for settlement of the account?—I id.

3048. Mr. *Cogan.*] Did she settle the account?—She settled the account.

3049. *Chairman.*] On whose account did she ay you?—On her own account; at least the gas ccount has always stood, and been made out to he Rev. J. C. Bowen; Mr. Bowen, the officiating priest, has always been charged with that gas, but it appears that an arrangement has been nade ——

3050. Mr. *Sherlock.*] Were you present at hat arrangement?—I was not. The account as always been left at the Presbytery, and has been paid.

3051. Mr. *Matthews.*] By whom?—I cannot say whose money it was, whether Mr. Bowen's, or Mr. Atkins's; but the money was paid by Mrs. Atkins, in the presence of Mr. Atkins.

3052. Mr. *Sherlock.*] Do you not receive payment from the person to whom you furnish the gas?—Not always; as a rule, we do.

3053. Is it not a private dealing between the gas company and the proprietor of the house?—No, the original contract was and is still between the officiating priest and the gas company.

3054. Is the officiating priest named?—The officiating priest is Mr. Bowen.

3055. He it was that contracted with the gas company for the supply of gas?—Yes.

3056. Mr. *Matthews.*] Was this Mrs. Atkins a sort of servant on the premises?—Mrs. Atkins is the sister of Father Bowen, the officiating priest; and they reside in the Presbytery.

3057. Mrs. Atkins and her husband live on the premises, and Mr. Bowen is the person to whom you supply the gas?—He does not live in the Presbytery. The gas is consumed at the Presbytery and the chapel.

Mr. *J. Bishop.*

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3058. And the contract is with him?—Exactly. Mr. Bowen resides at St. Scholastica's Priory, a distance of some three quarters of a mile from the Presbytery.

3059. He is the Presbyter?—Perhaps so.

3060. Mr. *Sherlock,*] At all events he is the party liable to you in the event of your not being paid?—We hold Mr. Bowen liable.

3061. *Chairman.*] You received this money from his sister who occupies the premises?—Yes.

3062. Mr. *Sherlock.*] You would take it from me if I offered it to you?—Just so.

3063. Mr. *Newdegate.*] To whom do you believe you should have to apply for a final settlement of this difficulty?—Mr. Bowen, I apprehend.

3064. Mr. *Sherlock.*] Have you been paid in full?—A disputed account has not been paid.

3065. Disputed between you and Mr. Bowen?—No, between Mr. Bowen and the party who resided at the Presbytery House, prior to his sister and her husband residing there.

3066. Has not your Company a claim against somebody?—We have a claim; that claim has not been satisfied.

3067. Is it not a claim by you against some person?—Against Mr. Bowen, but Mr. Bowen says that Mrs. Chapman, the former resident, is the party who must pay, she having consumed the gas, and that it was an arrangement with the tenant that the tenant was to pay for the gas consumed in the house and in the chapel; it all passes through one meter.

3068. Do you intend to make any legal demand on Mr. Bowen?—We shall sue Mr. Bowen in the county court as a matter of course, if necessary.

3069. *Chairman.*] To whom do you look for payment?—The gas company look to the Rev. Father Bowen for payment.

3070. Mr. *G. Gregory.*] Have you a rating book for gas; No; Mr. Bowen is the party liable to the gas company, undoubtedly, but they want an alteration made.

3071. Mr. *Sherlock.*] Did Mr. Bowen tell you that he wants an alteration made?—No, Mr. Bowen's sister did.

3072. Mr. *G. Gregory.*] Do you make out quarterly accounts for the gas you supply?—Half-yearly accounts.

3073. To whom was the last half-yearly account made out?—To the Rev. Mr. Bowen.

3074. Mr. *Cogan.*] Were you summoned to attend this Committee?—I received a telegram.

3075. Did you receive a summons from the Clerk of the Committee?—I had a telegram from the Clerk of the Committee.

Mr. Benjamin Holden Fisher, called in; and Examined.

3076. Mr. *Newdegate.*] I believe you are resident in Rugby?—I am.

3077. What is your occupation?—I collect rates, and I give lessons in mathematics.

3078. In short, you are schoolmaster, and collect the rates?—I am not a schoolmaster; I give private lessons.

3079. And you are employed in the calculation and collection of the rates?—Yes.

3080. I believe you are cognisant of some property near Rugby; I think it is called St. Mary's Priory, is it not?—St. Mary's College.

Mr. *B. H. Fisher.*

3081. Can you produce an extract from the valuation list showing the value of that property?—I furnished Mr. Hobbley with a copy, and I have not another copy with me.

3082. Will you recover that extract?—Yes.

Mr. *B. H. Fisher.*

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3083. Mr. *Bourke.*] Do you know the value of this property?—I know the estimated value.

3084. What is it?—The estimated value of the college is 225 *l.*

3085. Mr. *Gregory.*] That is, the college and the property they hold with it, I presume?—That is, I believe, for the college and two acres, three roods of land attached to it.

3086. Mr. *Bourke.*] Is that the whole of the property?—There are cottages and schools.

3087. Mr. *G. Gregory.*] But is the whole included in that rating?—No; the college itself is assessed at 225 *l.*, and the rateable value is 180 *l.*

3088. Mr. *Bourke.*] Now, the rest of the property?—The estimated value of the priest's house is 15 *l.* gross and 12 *l.* rateable value; the schools are assessed at 16 *l.* and 12 *l.* 15 *s.*, and there are 15 cottages, assessed from 7 *l.* up to 10 *l.* each. I cannot speak as to each separately; there is one at 20 *l.*

3089. Mr. *Matthews.*] Is this property all in Rugby?—All in Rugby.

3090. And the priest's house also?—Yes.

3091. Mr. *Bourke.*] Do you know the total rateable value of all this property?—The gross rateable value is 418 *l.*; rateable value 333 *l.* 5 *s.*; that is, for the cottages, the school, the priest's house, and the college.

3092. Mr. *O'Reilly.*] You have stated the rateable value of the whole property; do you mean by that all the property pertaining to Roman Catholic institutions in Rugby?—I do.

3093. Not merely the property of the college?—I mean the whole of the property possessed by Roman Catholic institutions in Rugby.

3094. With regard to the priest's house and schools; is that, so far as your knowledge goes, a separate thing from the college?—I believe that there is a communication from the priest's house to the college.

3095. Have you any knowledge who is the priest?—I cannot tell his Christian name; I believe his name is Akroyd.

3096. Is the Reverend Mr. Akroyd presumed to belong to any religious Order, or is he a secular priest?—I cannot answer that.

3097. Mr. *Matthews.*] He does the parish duty there?—He officiates in the chapel.

3098. Which is the common chapel of all the Catholics in Rugby?—Yes.

3099. He is the priest for the Catholics in Rugby, in fact?—Yes.

3100. Do you happen to know that Mr. Hibbert supports that mission?—I have understood so.

3101. And gives a good many hundreds a ye to pay the expenses?—I understood that he pu chased the property.

3102. And has contributed largely?—I cann say to what extent.

3103. Mr. *Bourke.*] You call this institutio St. Mary's College?—Yes.

3104. Is it called a convent at all there; d you ever hear it called a convent?—No, I hav not; I have heard it called a monastery.

3105. Can you specify anything monast about it?—I believe there are a number of monk resident there.

3106. Have you ever seen them?—I have see them. It has been stated to me that they wer monks; I have no evidence that they are.

3107. Mr. *Sherlock.*] Would you know monk?—I could tell those that have the appea ance of one, but I could not say that I shoul know one.

3108. Mr. *Newdegate.*] Whom do you unde stand to be the present owners of this property —I can state whom it is assessed to in the po rate; the person who is entered as the owner.

3109. Who is that?—The person entered owner is Dominic Gazzola.

3110. Mr. *Bourke.*] Who is he; do you kno him?—I do not; he is one of the residents the college.

3111. You know that?—I know that.

3112. Mr. *Matthews.*] He is owner of what of the college?—Of the college.

3113. Mr. *O'Reilly.*] Is he put down as t owner of all the other property you have me tioned also?—I think not; I believe Mr. Hutt is the owner of the cottages.

3114. Who is put down as owner of t priest's house?—I believe Dominic Gazzola put down as owner of that.

3115. And of the schools?—And of t schools.

3116. Mr. *Matthews.*] Who is Mr. Hobbley, whom you gave your copy of the valuation list —I only know him by sight; he called upon m for the extract and I gave it to him.

3117. When?—A few days ago.

3118. Mr. *Sherlock.*] Had you ever seen hi before?—No.

3119. Had he a letter of introduction to you —From the clerk of the union.

3120. Mr. *Matthews.*] You gave your copy the valuation list to him?—Yes.

3121. For aught you know, he came up t London with it?—I expected to see him he with it to-day.

Monday, 11*th July* 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Sir John Ogilvy.
Mr. O'Reilly.
Mr. Pease.
Mr. Pemberton.
Mr. Sherlock.
Mr. J. G. Talbot.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. JOHN ROBSON, called in; and Examined.

Mr. *Robson.*

11 July 1870.

3122. Mr. *Newdegate.*] I BELIEVE your firm is largely engaged in printing?—It is.

3123. And you have printed the Roman Catholic Directory for 1864, 1865, 1867, 1869, and 1870?—Yes.

3124. From whom did you receive the copy?—From Dr. Johnson lately; I think for the whole six numbers we have received it from Dr. Johnson.

3125. He is resident at where?—At No. 8, York-place.

3126. It is through him that you have received the manuscript?—Yes.

3127. Mr. *Jessel.*] Is that the Mr. Johnson mentioned in the preface?—Yes.

3128. Mr. *Newdegate.*] What does this copy consist of; does it consist of lists containing the names of the priests and institutions in their respective districts?—It contains every thing that you see there printed

3129. Are those manuscripts generally in different hands, or are they in the same hand?—Various, I should say; they are not wholly manuscript; they are generally the previous year's Directory pasted up with corrections on it, and those corrections are not all in the same handwriting.

3130. Then there are corrections made in the printed sheets of the previous year?—Yes.

3131. But those corrections are not all in the same hand?—No, I should say not.

3132. But at the same time if you receive them from Mr. Johnson you consider that you have authority to print them?—Undoubtedly we have; we print whatever is given to us, without questioning where it comes from.

3133. But you consider that Mr. Johnson, in fact, is your employer?—Undoubtedly.

3134. In short you would receive and print without hesitation anything that you receive from Mr. Johnson, no matter in what hand the corrections or writing might be made?—Certainly.

3135. Mr. *Matthews.*] Do you print it at your own risk, or is the profit Dr. Johnson's?—I cannot tell you.

3136. Do you get the profit of the sale?—No, we simply print it, and get paid for printing; we are only the printers, not the publishers of it.

3137. Dr. Johnson does not pay you?—No, the publisher pays us.

Mr. JOSEPH CULL, called in; and Examined.

Mr. *Cull.*

3138. Mr. *Newdegate.*] Do you represent here the firm of Burns, Oates & Co., Publishers?—Yes.

3139. You come by their direction?—Yes; I have got their note in my pocket.

3140. Do you come to give the information which the Committee require?—Yes.

3141. Are you a member of that firm?—No.

3142. But you are the representative of that firm for the purposes of this Committee, in obedience to the orders which they have received from the Speaker?—Yes.

3143. Are the firm which you represent the publishers of the Roman Catholic Directory?—Yes.

3144. And have you published it for the years 1864, 1865, 1867, 1868, 1869, and 1870?—Yes.

3145. I think Canon Morris was formerly the editor; that is to say, it is so stated in 1864 and 1865?—He was the editor; I do not recollect the year.

3146. But you have no reason to doubt that he was the editor in 1864 and 1865?—No, I believe it was so. I have not referred to see, but I know he was editor.

3147. Who was the editor in 1867?—Canon Morris also, as far as I know, without referring to a copy of the Directory.

3148. I will put a copy into your hand; this is a copy for 1864 (*handing the same to the Witness*); will you have the kindness just to read the preface?—"The editor begs leave to call the attention of the clergy to the rule by which the Directory is compiled. Whenever in the official returns of the dioceses a change has occurred since the last year in the name of the head

Mr. *Cull.*
—
11 July 1870.

priest at any mission, the hours of service for that mission are not reprinted without instructions from the newly-appointed priest. Where, however, the name of the same priest appears in charge of a mission, the hours of service are retained, unless an alteration be requested by the priest, or the bishop of the diocese. The names of the clergy in the alphabetical list are each year compared with those in the various dioceses, and no names are retained in the alphabetical list that do not appear in the former portion of the Directory, unless fresh instructions be sent each year for their insertion. All communications for the editor of the Directory are to be addressed to the Reverend Canon Morris, care of Messrs. Burns & Lambert, 17, Portman-street, London, W. As very unnecessary trouble and expense are caused by notices being sent after the Directory is in type, the editor begs that he may receive all that is intended for the next year's Directory before the 20th of October."

3148*. I will read to you from the Directory for 1867, in the preface, to which I perceive it says, "All communications for the editor of the Directory to be addressed to the care of Messrs. Burns, Lambert & Oates, 17, Portman-street, London, W. As much trouble and expense are caused by notices being sent after the Directory is in type, the editor begs that he may receive all that is intended for the next year's Directory, before the 25th of October. He also begs that all subsequent changes taking place before the 25th of November may be communicated to him as they occur;" that is a correct extract, is it not, from that publication?—I do not recollect whether it was Canon Morris or not.

3149. Is that a correct extract from the number for 1867?— It is one of the numbers for 1867, and this is the preface.

3150. Is what I read a correct extract?—Yes, that is correct.

3151. It appears, then, that Canon Morris was no longer editor in 1867?—I do not know; I think he was; Dr. Johnson will be able to answer that, because he knows when he began.

3152. Are you not aware that there was a change of editors in 1867?—No.

3153. The Rev. W. A. Johnson is editor of the Directory at present, is he not?—Yes.

3154. And he was so in the year 1867, I think?—No.

3155. I will read to you a short extract, in order to test whether this is accurate in the edition of the Catholic Directory for 1869: "In the present edition of the Catholic Directory the arrangements of the contents has been slightly altered; and while the size of the book has been kept down by the exclusion of part of the advertisements, a large amount of valuable information has been added. It would have been easy, by lowering the standard of the book, to bring out an inferior directory at a reduced price; but after submitting the question to the judgment of ecclesiastical superiors, it was felt to be a duty to maintain the present character of the work. For the convenience, however, of those who, in addition to a good almanac, may desire a useful abstract of some of the more general information contained in the Directory, the Directory Almanac, price 3*d.*, has been prepared, of which a notice will be found at page 2. The additional information contained in this year's Directory consists chiefly of the enlargement of its first section; the Catholic and General Almanac, pages 1 to 29; the Acts of Parliament affecting Catholics in workhouses and pauper schools, pages 46 to 48; a brief notice of martyrs in England, page 87; an appendix on the Œcumenical Council, pages 287 to 297; and an appendix, including the pastoral letter of the archbishop on the Metropolitan Cathedral of Westminster, pages 298 to 313. The only difference between the copies of the Directory prepared for the clergy, and those prepared for the laity is this; that in the latter, instead of the Latin *Ordo recitandi* prefixed to the Directory, there is a calendar or abridged translation of the *Ordo* in English. In the compilation of Part 3, which is the official portion of the Directory, the following rules will, until further notice, be observed. 1. When no change has occurred of the priest in charge of a mission, the services will be printed as before, if no alteration be requested by the priest, or by the bishop of the diocese. But when there has been a change of the priest in charge, it will be thought better, in the absence of instructions from him, to reprint only the more important services of the Sundays and holidays. 2. The names of the clergy in the alphabetical list will be compared yearly with the returns of priests received from their lordships, the bishops, and names not appearing in those returns will not be retained in the said list unless instructions be sent each year for their insertion. Communications for the editor of the Directory are to be addressed, Rev. W. A. Johnson, 8, York-place, London, W. It is earnestly requested that all information sent to him for next year's Directory may be forwarded before October 25th. Changes of names, and other slight changes taking place after that date, will, if com unicated as soon as they occur, be inserted as far as possible down to November 16th. The omission by the clergy in the notices of their missions, of such details as are only of local interest would enlarge the space available for information of general interest to the Catholic public." Just take that book in your hand, and state whether I have correctly read this extract from that publication (*handing the same to the Witness*)?—Yes, I have no doubt you have.

3156. Do you know what portion of this Directory belongs especially to the province of the editor, and what to the publisher; can you tell me what does the editor do with reference to this publication, and what do you do?—The editor prepares the whole, with the exception of the advertisements, which of course need not be reckoned as part of the work itself.

3157. He prepares the whole, with the exception of the advertisements, which you manage?—We receive the advertisements. I think we send them on to him latterly. We used to send them directly to the printers, but I think latterly we send them to the editor.

3158. Are you aware how the editor obtains the information inserted under the various districts, especially in Part 3?—I do not know myself. I may have heard something, but that I could not speak of positively.

3159. Your only source of instruction and information is the Reverend Mr. Johnson?—Yes.

3160. Except with reference to the advertisements?—Yes, trade advertisements, and general advertisements.

3161. You have printed upon the outside of this

this work for the laity, which is in a yellow cover, "*Permissu superiorum*," what do you understand by that?—By permission of superiors.

3162. And who are those superiors?—I suppose the ecclesiastical authorities of the diocese.

3163. Of the Roman Catholic body?—Yes.

3164. That is what you understand by superiors?—Yes, certainly.

3165. Who gave you authority to print those words?—The editor sends the copy to the printer, and he prints them.

3166. Then it is by the authority of the editor that you have put "*Permissu superiorum*"?—Yes.

3167. Do you know whether the editor is the authority of the preface?—I could not say positively. I do not know from my own knowledge; if he signed his name to it, I should say that he was the author.

3168. According to your understanding you have the same authority from Mr. Johnson for the preface that you have for the body of the work?—Yes; we receive the whole from the printers, and we publish it.

3169. Including the preface?—Yes.

3170. And you receive it from the printers by arrangement with Mr. Johnson, as editor?—Yes.

3171. Mr. *Jessel.*] Who employs you?—I do not understand your question.

3172. You are publishers, and employed by some one to publish the book?—We employ ourselves.

3173. Do you publish on your own account exclusively?—No, not exclusively; we are part proprietors.

3174. Who are the other proprietors?—The editor.

3175. And you do publish on the joint account of the editor and yourselves?—Yes.

3176. *Chairman.*] What advantage do you consider arises from your publishing in your frontispiece these words, "*Permissu superiorum*"?—I could not answer that. I have never thought of that question. There has been a Directory printed for a great many years, and I never noticed till lately that that phrase was on the wrapper of the Directory.

3177. But you are a part proprietor?—Yes, we are part proprietors.

3178. You consider that it is an advantage to the work that it should have that authority, or words that imply that it has authority?—That is an advantage certainly.

3179. Ever since you have published it, have you inserted those words?—I could not tell without referring to a copy of each year.

3180. How long have you been the publishers?—Twelve or 13 years.

3181. Have you always placed those words, "*Permissu superiorum*," in the frontispiece?—I could not say without referring to each copy; I never took notice.

3182. You say that you are not indifferent to the insertion of those words; you think that there is some advantage to the work from their insertion?—Yes.

3183. Mr. *Matthews.*] I do not understand that you ever asked anybody's permission yourself to publish that directory?—No.

3184. And you have gone on publishing the old title page as it was without consideration?—Yes.

3185. In fact your attention has been drawn to it by the honourable Member for North Warwickshire?—Yes.

3186. Mr. *Bourke.*] As joint proprietor with the Rev. Mr. Johnson, do you take any means to ascertain whether the information that he supplies you is correct or not?—None whatever.

3187. Mr. *Talbot.*] Do not you understand that those words, "*Permissu superiorum*," answer very much to the words which no doubt you have seen in the works printed by the Queen's printer, "*Cum privilegio*," or "By authority"?—No, I do not think that they are equivalent to "By authority;" "permission" and "authority" seem to me rather different.

3188. Do not they convey to the Roman Catholic community the impression that this work is printed by the authority of the Roman Catholic Church?—Certainly not, but by their permission.

3189. More than permission, by their leave and authority?—No; I do not understand permission to be authority; it is very possible to have permission to print, but not the direct authority of the persons who give you permission; it is permitted, but it is not by authority; they are very distinct things.

3190. *Chairman.*] Those who take the work believe that it has authority from the circumstance of those words being printed, is that what you mean?—They believe that the authorities have allowed it to be printed.

3191. Mr. *Pemberton.*] At whose suggestion were the words first inserted?—I do not know.

3192. Were they inserted by you as the publishers?—No.

3193. Do you know whether they were inserted by the authority of the editor?—Possibly; it has been printed many years; it was printed so the previous year before it came into our hands, and we only followed inthe wake of others.

3194. But it was not at your suggestion as publishers that those words were inserted?—No, not that I know of.

3195. Then no person being interested but you as the publisher and the editor, probably the words were inserted by the suggestion of the editor for the time being?—I do not know; there have been many editors.

3196. You being the only persons concerned, namely, the publishers and the editor, it was not at your suggestion that those words were inserted?—I dare say that when they were first inserted we were not the publishers.

3197. Then you cannot tell whether it was the publisher's or the editor's suggestion?—No; I cannot tell how long it has been on the title page, or by whom it was introduced, because long before we published the Directory it was published by others.

3198. Sir John *Ogilvy.*] I suppose that it is meant as a sort of guarantee for the authenticity of the information contained in it?—I should say so; very likely.

3199. Mr. *Sherlock.*] Do you know how many years this publication has existed, in one shape or another?—I cannot say.

3200. A great number of years, I think?—Yes, I should say so.

3201. When was your attention first called to those mystic words "*Permissu superiorum*"?—Never before to-day.

3202. Mr. *Newdegate.*] I think you are a Roman Catholic, are you not?—Yes.

Mr. *Cull.*
11 July 1870.

3203. Are you aware, as being a publisher, that "*Permissu superiorum*" is used at Rome almost universally, to indicate approbation?—No, not to indicate approbation.

3204. Have you no communication with Roman printers?—No, we have no communication with them.

3205. Mr. *Jessel.*] Did you ever hear it doubted for one moment, as a representation that that Directory was authentic?—No.

3206. Has it not always been regarded as authentic?—I believe so.

3207. Do you doubt, for one moment, that the superiors would not give permission except for that which was correct?—There may be many incorrections in it.

3208. Accidental errors you mean?—Yes.

3209. But not voluntary errors?—No.

3210. Therefore, when you give out to the public that it is published by the permission of the superiors, you do give out to them that it is correct?—Yes; that is to say, we rely upon the editor for its being correct.

3211. You believe it to be correct, and so you give it out to the world?—Yes.

3212. Mr. *Newdegate.*] I think that the Messrs. Dolman used to publish this work before you did?—I do not know about Dolman; Messrs. Jones did.

3213. Have you seen copies of their productions?—Yes, of Messrs. Jones; I recollect them, but not in connection with our business; I saw them before.

3214. Is that one published by Dolman in 1850 (*handing a book to the Witness*)?—Yes.

3215. Mr. *Matthews.*] You observe on the first page the tiara and the two cross keys above "*Permissu superiorum*," is there any meaning in that?—Not that I know of, only that it is a symbol of the church.

3216. Mr. *Newdegate.*] This purports to be a number of the Roman Catholic Directory for 1850, does it not?—Yes.

3217. Do you believe that the work existed in that year, and was published by Dolman and Jones?—Yes, I know it existed.

3218. You observe that there is "*Permissu superiorum*" printed upon that?—Yes.

3219. Therefore it has been the continuous practice of the publishers of this work to print "*Permissu superiorum*" upon the title page?—Yes, it seems so, from that.

3220. Have you any doubt that that is so?—I do not know whether that is in the next number, or not; because I have not taken any notice.

3221. In this number for 1850 it is, and 1851 it is the same?—I have no doubt that it went on the same.

3222. It is the continuous practice to print it upon the Roman Catholic Directory, of which you are now the publisher?—Yes, no doubt.

The Rev. WILLIAM ANTHONY JOHNSON, called in; and Examined.

Rev. *W. A. Johnson.*

3223. Mr. *Newdegate.*] ARE you the Editor of the Roman Catholic Directory for 1869 and 1870?—I am. I have been editor of the Directory for the three years 1868, 1869, and 1870.

3224. Do you reside at 8, York-place, the residence of Dr. Manning?—Yes.

3225. I might ask you have you acted as secretary to Dr. Manning?—Yes, I am one of his Grace's secretaries; but my position as secretary is wholly distinct from my position as editor. The connection of the two offices in the same person is purely accidental.

3226. But you were so, were you not, on the 26th October 1868 when, by direction of Dr. Manning, you addressed a letter to the editor of the "Daily News"?—I think I have been the archbishop's secretary since January 1867.

3227. The date of this letter is October 1868; you wrote that letter by the direction of Dr. Manning?—I suppose that I did; I have no recollection of the letter now. I acknowledge that I have been his secretary since January 1867.

3228. You are responsible, I conclude, for the whole of this work, the Directory, except the advertisements?—No. I beg pardon; I would distinguish: it is necessary to analyse the Directory a little. The Directory for this year, if the index is looked at, will be found to be divided into several parts. Not to mention the Calendar or *Ordo recitandi*, which relates to the mass and office of each day of the year, there are, in the first place, Parts 1 and 2, viz. from page 1 to 86 in the Directory for this year; and that portion, I may say, consists simply of editorial matter, that is, matter which I have myself collected, and which I have had printed entirely at my own discretion.

3229. Will you be kind enough to read through the preface of the Directory of 1869; it is your own production?—"In the present edition of the Catholic Directory the arrangement of the contents has been slightly altered; and while the size of the book has been kept down by the exclusion of part of the advertisements, a large amount of valuable information has been added. It would have been easy, by lowering the standard of the book, to bring out an inferior directory at a reduced price; but, after submitting the question to the judgment of ecclesiastical superiors, it was felt to be a duty to maintain the present character of the work. For the convenience, however, of those who, in addition to a good almanac, may desire a useful abstract of some of the more general information contained in the Directory, the Directory Almanac, price threepence, has been prepared, of which a notice will be found at page 2. The additional information contained in this year's Directory consists chiefly of the enlargement of its first section, the Catholic and General Almanac, pp. 1–29; the Acts of Parliament affecting Catholics in workhouses and pauper schools, pp. 46–48; a brief notice of martyrs in England, p. 87; an appendix on the Œcumenical Council, pp. 287–297; and an appendix, including the pastoral letter of the archbishop, on the Metropolitan Cathedral of Westminster, pp. 298–313. The only difference between the copies of the Directory prepared for the clergy and those prepared for the laity is this: that in the latter, instead of the Latin *Ordo recitandi*, prefixed to the Directory, there is a calendar or abridged translation of the *Ordo* in English. In the

compilation of part 3, which is the official tion of the Direct ry, the following rules will til further notice be observed: (1.) When no ange has occurred of the priest in charge of a ssion, the services will be printed as before if alteration be requested by the priest or by e bishop of the diocese; but when there has en a change of the priest in charge, it will be ought better, in the absence of instructions m him, to reprint only the more important rvices of the Sundays and holidays. (2.) The mes of the clergy in the alphabetical list will compared yearly with the returns of priests ceived from their lordships, the bishops; and mes not appearing in those returns will not be tained in the said list, unless instructions be nt each year for their insertion."

3230. That preface is printed according to our directions, I presume?—Yes, printed by y direction entirely.

3231. It indicates certain changes; will you be nd enough to read the preface of the Directory r 1870?—"The Catholic Directory, Ecclesiastil Register, and Almanac for 1870, will be found contain several improvements, when compared ith the edition for 1869. At the end of part , pages 289, &c., is a concise but useful appendix n Œcumenical Councils; and in another apendix, pages 294, &c., an account is given of the resent state of the Catholic Metropolitan athedral Fund. It is, perhaps, well to state hat what may be regarded as the *official* portion f the Directory, beginning at page 87, ends with age 288. The attention of the clergy is especially alled to an important notice on page 86, respecting the Association for the Celebration of Masses or the deceased Secular Clergy. The difference etween the copies of the Directory prepared for he clergy and those prepared for the laity is only his: that in the latter, instead of the latin *Ordo ecitandi, &c.*, prefixed to the Directory, there is a calendar or abridged translation of the said *Ordo* in English. In the compilation of part 3 the following rules are observed: (1) When no change has occurred of the priest in charge of a mission, the services are printed as before, if no alteration be requested by the priest, or by the bishop of the diocese. But when there has been a change of the priest in charge, it is thought better, in the absence of instructions from him, to reprint only the more important services of the Sundays and holidays; (2) The names of the clergy in the alphabetical list are compared yearly with the returns of priests received from their lordships the bishops; and names not appearing in those returns are not retained in the said list unless instructions be sent each year for their insertion."

3232. You have read this from a copy of the Roman Catholic Directory?—Yes, this is a copy for 1870.

3233. I perceive that the third paragraph which you have read from the Roman Catholic Directory for 1870 states this: "It is, perhaps, well to state that what may be regarded as the *official* portion of the Directory, beginning at page 87, ends with page 288"?—Yes.

3234. On page 288 there is a summary of the Roman Catholic statistics of Great Britain, giving a list of the clergy, churches, chapels and stations, religious communities of men, and religious communities of women, that is included I think, in the limits assigned in the summary?—That summary is a summary of what I call the official portion of the Directory; but it has been drawn up entirely by myself, and has not been submitted to the revision of any person whatever; so that I am responsible for the calculation by which I have arrived at those numbers. I am also reponsible for an error of some gravity, which appears to have been brought out before the Committee, in one of the headings of that summary. I have used, and in a general sense I have rightly used, the designation of "religious communities of women"; but with respect to the "religious communities of men," I should have omitted the word "religious": because the number 69, given as the total of the communities of men in Great Britain includes some communities or houses of men who, although they are leading a common life, living, that is, according to a common rule, have not taken any vows, and are not in any sense whatever to be called "religious;" and the word was inserted there by me simply through inadvertence. An instance, of what I mean, are the Oblates of St. Charles at Bayswater, and also decidedly the Oratorians; for it is essential to the idea of religious community, or a religious body, or religious men, that there should be vows taken. If necessary, I could give the very definition from the canon law.

Rev. *W. A. Johnson.*
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3235. You receive the lists from the bishops of the several districts, it appears?—That requires an explanation. I see now; from the very minute inquiry which is based upon the words I have used in the Directory, that I might have expressed myself in the preface in a way to preclude the possibility of being misunderstood. When I say that the alphabetical list of the clergy is compared each year with the returns sent in by the bishops, I do not mean to say that the bishops each send me an alphabetical list, or any separate list at all, of their clergy. But if the Committee wish to know precisely how my information for part 3 of the Directory comes to me, and what information I use, I can tell them. I base this portion of the Directory, supposing for this year, upon the Directory of the preceding year. During the month of October and the early part of November I receive a large number of letters from all quarters, from the clergy and the laity, and other persons who have noticed any addition that is required, or any alteration that should be made, I then prepare the sheets, and I send the sheets of each diocese, either to the bishop, the vicar general, or the secretary of that diocese; and as the Directory, although private property, is an undertaking of great public utility, I invite them to have the kindness to furnish me with any additional corrections which they may think necessary. In some cases the sheets are corrected with very great accuracy indeed; in others, the sheets are not corrected with so much care.

3236. Mr. *Jessel.*] They are all returned, I presume?—Yes, they are all returned; and when they are returned, I find additions and alterations suggested here and there. I find, for instance, that a priest, who has been stationed during the past year at a certain mission or church, and who has no idea of the intention of the bishop to remove him, has his name placed by the bishop in another portion of the diocese. This will throw some light upon what I mean when I say that I compare the alphabetical list with the returns furnished by the bishops: that is to say, I see, in the sheets that are returned, a priest of a certain diocese placed for next year at, we will suppose, the church of St. George who has not been there during the past year; I turn

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to the alphabetical list and, and make the necessary correction in his address.

3237. Mr. *Newdegate.*] But you use great diligence to render those lists accurate?—I use all the care that I can, although I do not know whether I have any special capacity for the work. I always use all the care that I can; but still, as has been instanced by that error which I have noticed, and which is not of very much consequence, a mistake may escape me.

3238. You have adverted to a misdescription which appears at page 288?—Yes.

3239. I conclude that this is a correct summary from the separate lists, given according to each district or diocese, which appear in the preceding pages?—That is to say, I have taken the summaries given at the end of each diocese, and I have made out from them the total summary. Whether I have made any error in the figures, I do not know; I do not suppose that I have, but I should not be prepared to say that I have not. However, it is important that you should notice, in confirmation of what I have said in respect of the error of description, that if you look at the end of the diocese of Westminster, where the diocesan summary is given, you will find that the Oratorians and the Oblates of St. Charles are put quite distinct from those whom I have termed regulars, or "religious."

3240. I find in several of the lists of the districts, or dioceses, as you call them, those communities of men and women are thus described, "communities of men," "religious houses of men," and "regulars," with respect to the communities of men; and then, with respect to the communities of women, I find that they are entered as "religious communities of women," "convents," and "communities of religious women;" in so far as you have followed the description of those institutions, which you have received from the bishops of the several dioceses, you have no reason to doubt the accuracy of those descriptions?—I do not know that I have any reason to make any statement upon it. I send those sheets, as I say, for revision; and if the bishops, or the vicars general, or the secretaries, were to put down a thing which I knew to be incorrect, and were to request me to have it published, I should publish it, just the same as the printer would print whatever I put into his hands.

3241. That is to say, you accept the authority of the bishops who send you those descriptions?—I adopt their alterations, without pledging myself to the accuracy of them.

3242. Then those alterations and statements are made from the authority of the bishops, from whom you receive the accounts of their dioceses?—I may say that they are made by the bishops, or other revisers, and reproduced by me.

3243. Perhaps it may be beyond your experience, but were you in priest's orders in 1852?—No.

3244. But you had studied the work, I conclude, of which you are now the editor?—I had some information about it.

3245. Are you aware that there is a difference in the form of this work since the number appeared for 1850?—I scarcely know whether the honourable Member means the external appearance of the book.

3246. I mean the whole appearance of the work?—I have made alterations myself. I altered the arrangement considerably in the first year of my editorship, and I made further alterations in the second year, for the convenience of those who used it; and I have also added a great deal of information.

3247. Have you any reason to doubt that this is a copy of the work purporting to be the number for 1850 (*handing a book to the Witness*)?—None whatever; it has every appearance of it.

3248. That is arranged, I think, according to the districts over which the vicars apostolic presided, is it not?—Yes, it appears to be so.

3249. The work, of which you are now the editor, is arranged according to different districts, purporting to be the dioceses established, I conclude, under the authority of the brief of September 1850?—Yes.

3250. With the exception of the accidental misdescription which you conceive to be in page 288, to which you have referred, you do not feel any doubt that your work is substantially accurate?—That is to say, I have no evidence of any error, or of any error of importance; there may be errors in it that I am not conscious of.

3251. Mr. *Jessel.*] I think there are 14 dioceses; if you look at the end of each diocese you will see a summary; are those summaries your work?—I came into possession of the Directory, as I say, at the end of 1867, and the first edition was published by me for 1868. The edition was published in this way. I took the sheets of the Directory of the previous year, and sent them to the different persons I have mentioned; I afterwards sent them to press with whatever alterations I found upon them on their being returned to me.

3252. Are the summaries yours, or are the summaries sent you back by the printer?—I think in one case, I do not remember what diocese, the summary was either wholly or in part mine, because I found that no alteration whatever had been made in the summary I had sent for revision; but in other cases I have sent to press what I received, without making any further alteration.

3253. Then, as I understand you, those summaries are sent back to you as they are by the bishops, or their secretaries, or the proper authority of the diocese?—Yes, and printed as they are sent to me.

3254. Therefore they are part of the returns made to you?—Yes.

3255. You told us something about a mistake; will you be kind enough to look at the diocese of Birmingham, at page 134 of the Directory for 1870, near the top of the page you will find an entry, "religious houses of men," and the second line of that entry has these words, "Fathers of the Oratory of Birmingham;" I want to call your attention to this fact, that the bishop of that diocese, or the person who had the supervision of that, has included the fathers of the Oratory amongst "religious houses of men"?—He has inadvertently done so; but I do believe that if it were put to him, and he were pointedly asked whether they really were "religious," he would say, "No, decidedly not." The only sense in which houses of Oratorians could be called "religious houses of men," would be to distinguish them from mere social associations of men living together for civil objects, for secular purposes. The Oratorians are living together to work for the instruction of people, or living for religious objects; but that does not make them religious men, not in the sense

se of being "regulars," or "religious," or in sense of being distinguished from secular ests essentially.

3256. But still the term "religious houses" is plied to an association of secular priests living ether in some sort of community, and subject, resume, to some sort of discipline?—But I intain that it is applied inaccurately; and if I ght I could correct, without seeming dis- ectful, what any secretary or bishop sent to , I should, without hesitation, draw my pen ugh the word "religious."

3257. I only draw your attention to this, that mistake, if mistake it be, is not merely yours, is the mistake of the bishop of one of the eses?—Yes; or of the reviser.

3258. Will you now turn to page 115, where will find the ecclesiastical statistics of the cese of Westminster, where certain orders described as regulars?—Yes.

3259. And others, like the Oratorians and lates of St. Charles, are left out of the list?— cy are left out of the list of regulars.

3260. But they are also left out of the list of ulars?—Because those who are there men- ned as secular priests, without any qualifying rd, are secular priests who have nothing what- er to distinguish them, even in their mode of e, from ordinary Roman Catholic clergymen; t is, who form no community, and are remove- le from one place to another by their bishop. t the Oratorians are also secular priests, strictly ; and if any priest, who is now living on a mis- n by himself, went and joined the Oratorians, d adopted their mode of life, he would not ase to be a secular priest, though he were to live the rest of his life according to their rules.

3261. The bishop or the secretary of the dio- se, the person who had authority to send back e list, does distinguish the Oratorians and the lates of St. Charles both from seculars on e one hand, and regulars on the other?—But th respect to this diocese, I drew up the list yself: I am responsible for the whole of it; and have distinguished those just named from other cular priests solely for the reason I have stated.

3262. Was it sent back to you?—No, it never ssed out of my hands. Being secretary, I ow a good deal about the state of the diocese, d I did not think it necessary to ask any e to revise that list.

3263. Will you have the kindness to turn to nother diocese, the diocese of Liverpool, at page 7, where you will see the bishop of the diocese ves a summary; I presume that the Oblates ere referred to are something similar to those hich you mentioned at Bayswater?—No, they e different; Oblates of Mary Immaculate are t, I believe, secular priests.

3264. But all those not seculars in this list e regulars, I presume; the Jesuits, Passionists, edemptorists, and Oblates of Mary Immacu- te?—All who are truly so called (Jesuits, Pas- onists, &c.), are, in a seuse more or less strict, eligious and regulars; but I do not give evi- ence that those here called Jesuits or Passionists re really Jesuits or Passionists, &c.

3265. Look at the diocese of Salford, there ou will find the distinction of the priests into hree?—The last is merely a local distinction; tonyhurst is a college.

3266. If I understand you, the distinctions hich you find in some of those places are used ndifferently in different dioceses, "religious houses of men," or "communities of men;" and sometimes you will find under "communities of men," for instance, Benedictines and Dominicans whom we know to be regulars, whereas in other cases you will find "religious houses of men" including all; in fact, those terms seem to be used indifferently, without reference to their accurate signification?—I think it is because they were not used with sufficient thought; if I had been left to my own choice, I should have had one common division for the whole of the dioceses.

3267. Are the missionaries of St. Francis of Sales regulars, or not, do you know?—I scarcely know what they are; I think there are only one or two in England. I know nothing of their rule; I do not know whether they take vows or not.

3268. I cannot myself find any such distinction as you indicate in the Directory, as between the different classes of orders; I presume, as you say, it was by inadvertence that they are mixed together?—Yes: that is, communities of seculars have been inadvertently mixed with religious in one or two instances.

3269. At all events, your attention has not been drawn to it before?—Never by others, I believe.

3270. Mr. *Matthews.*] There is a distinction, is there not, in your own diocese of Westminster?—Certainly in my own diocese there is a distinction, because at page 115 you have seculars; then seculars unattached, or on sick leave; then Oratorians; then the Oblates of St. Charles, and afterwards the regulars.

3271. Then you there expressly distinguish the order of Oblates of St. Charles from that of regulars?—Yes, I have distinguished them, because I really had absolute control over that page.

3272. You spoke about some official portion of the Directory, but that part of your answer was not finished; could you say what the official portion is?—What I have chosen to call the official portion of the Directory is part 3, beginning at page 87, and ending at page 288; with the exception, however, that that which is on the last page was merely my own composition, and not subject to any revision. I am asked in what sense this part is called official. I do not remember that any editor previous to myself applied the word "official" distinctly to any part of the Directory; but I thought that I was at liberty to do so; partly because the information given in that part refers in some degree to those who occupy an official ecclesiastical position, and partly because I considered that the information generally throughout that portion was collected in an official way. Now, looking at any work, and considering it as to its mode of publication, and the responsibility of its publication, I think the word "official" may be applied to a book in one or other of two senses: first, whenever the matter of any book is collected by authority, and published by order, on the responsibility, and at the expense of that authority, then it is official in what I may call a strict sense; an example of such an official book would be the "British Postal Guide," which is published quarterly, by command of the Postmaster General, entirely on his responsibility, and at the expense of the department. The Directory is not official and no portion of the Directory is official, in that sense. In a second sense, a book may be said to

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be official, so I apprehend, when the information is collected by a private person, or accidentally by a person occupying some official position, but not acting in his official capacity, a book, I say, is official in this sense, when the information is collected by a private person, under the patronage of a any authority, and with the aid of such information as may be courteously supplied to him, either by the authority itself, or by any other persons whose convenience is in any way promoted by the accuracy of the work. An example of an official book in this second sense is the "Post Office London Directory," as it appears to me; that Directory is stated on its title page to be published under the special patronage of the Postmaster General; but it is printed and published for the proprietor, Mr. Frederic Kelly. I think that that is the sense in which it may be said that the third part of the Directory is to be considered official.

3273. In fact the information which you get from those gentlemen, the secretaries to all the bishops in England, is supplied to you as a matter of courtesy?—Yes.

3274. And they are persons in an official capacity?—Yes. They find it for their convenience to give me the information.

3275. And of course they do their best to make it as accurate as they can?—No doubt the corrections are not all made with equal care; in some cases there are many inaccuracies left unnoticed.

3276. Mr. *Newdegate.*] I believe you are officially connected with Dr. Manning?—Yes.

3277. And Dr. Manning presides over the diocese of Westminster?—Yes.

3278. I find in page 115 the ecclesiastical statistics of the diocese of Westminster, and I find that the first item is "Secular," and the number is given as 137; then the next item is "Ditto unattached, or on sick leave, 10;" aud then the next item in the list is "Oratorians, 15;" and then follow the "Oblates of St. Charles, 16;" and then come the words "Regulars: Jesuits, Marists, Oblates of Mary Immaculate, Carmelites, Dominicans," &c., but if you cast your eye further down, to the last line but one, you find the words "communities of men, 19," and there is a previous list of those communities of men at page 111?—Yes.

3279. That list, I think, contains these items: "Augustinian Fathers, St. Monica's, Hoxton-square, N. Carmelites (discalced), 5, Vicarage-place, Kensington, W. Charity (Fathers of), 170, Culford-road, Kingsland, N. Dominican Fathers, St. Dominic's Priory, Haverstock-hill, N.W. Jesuit Fathers, 111, Mount-street, W. St. Mary's, Horseferry-road, Westminster, S.W. Marist Fathers, St. Ann's, Albert-place, Spicer-street, E. Oblates of Mary Immaculate, 25, Great Prescott-street, E. Church of the Sacred Heart, Kilburn, N.W. Oblates of St. Charles, St. Mary's, Bayswater, W. Oratory (Fathers of the) Brompton, S.W.:" therefore, in the Catalogue Raisonnée, which is given at page 111, I am right, I believe, in apprehending that the Fathers of the Oratory are classed with the Augustinian Fathers, with the Jesuit Fathers, and with all the regular orders?—They are classed simply as being priests, and observing a common mode of life. Secular priests, who do not belong to any community, live much the same as to rule, as friends living together in a house; they have not necessarily a fixed time for rising or for going to bed, or for coming in or going out; they do in these things almost as they please; they are more like a family.

3280. Are you acquainted with the discipline of the Oratorians?—Only from very general information; I have known something from hearsay but I have never obtained information from themselves about their rule.

3281. Have you not seen their constitutions?—Never.

3282. Are you aware that the Italian courts have decided that they are regulars?—I am not aware of it, and if they have so decided, it is merely because the Italian civil courts have chosen to consider them regulars; but I am not aware of any such decision, and I should not think that any such decision went for anything.

3283. That is only the interpretation of the civil power?—Yes, which I should not respect in this matter.

3284. But you spoke of that which is the official part of this work?—In the sense that I explained.

3285. Being yourself officially connected with Dr. Manning?—But of course my duties as editor, and also my position as co-proprietor, are entirely distinct from my duties and position as secretary. For instance, the Directory is entirely private property; and there is nothing in the nature of the work, no injunction laid upon me by my superiors, and no wish expressed by any superior, which would prevent me, to-morrow, if I chose, from transferring my share in the property to any person; if I wished, even to a layman.

3286. What you have done is "*Permissu superiorum*"?—Yes, and I will explain what this means. The words "*Permissu superiorum*" occur on, I believe, one of the sets of copies for this year, the one prepared for the laity. I really did not know, till I saw that attention had been called to it some few weeks ago in this Committee, that the words were there. I certainly did not give any direction as to their being put there this year, and I have no recollection of ever having, during the three years of my editorship, given directions, either to the publisher or to the printer, to have those words put. The words have been put on the wrapper for a series of years, and I imagine that the printer has put those words during these last two or three years simply because they were put there in previous years. I wish to explain what those words precisely mean: I do not know whether the Committee are aware that it is the practice in Catholic countries for persons, even though they are laymen, before they publish anything even on any indifferent subject, to send a copy to the ecclesiastical authorities, saying, "I propose to publish this work, have you any objection to its publication?" And in Rome I have never met with a single book which had there been published without some sign of its having been seen by ecclesiastical superiors. In Rome, and in some other Catholic countries, and also of late years with respect to many books in England, you will find on the book the words, "*Nihil obstat,*" followed by the name of some priest, and then the word "*Imprimatur,*" with the name of a bishop. This means that the book has been looked over by some ecclesiastic, that he has reported to the bishop that he has found nothing against either faith or morals in the book, and that then the bishop has given his *imprimatur,* which signifies

s, "Let it be printed." And it is not necesry that the book should be in any sense whatver a religious book for it to have the *Imimatur*; it may be a book upon a most indifferat subject, on some subject of science or literare. Years ago the word *imprimatur* was never ed in England; but persons who wished to ow that a book was a harmless book, that though not an official book it might be read ith a certain amount of confidence, would apply casionally to their bishop, and say, "I intend publish such a work, have you any objection?" nd he would say, "I have no objection; you ay put *Permissu superiorum* on the title page," nough perhaps sometimes he had never looked it. Therefore I positively assert, with a disnct knowledge of the subject, that the use of e words, *Permissu superiorum*, does not imply any sense whatever that a book is official, it oes not imply in any sense whatever that a ork has the positive approbation of the periors; it does not imply that the superiors e responsible for the accuracy of its contents; only implies that the superiors have been made ware of the intention to publish the book, and ave given for such publication their implicit or xplicit permission. It shows no more in itself an that a book is harmless, and that people ay read it with confidence that it will not do em any harm, or that they will not find in it ything against faith or morals.

3287. *Chairman.*] That is your opinion?—hat is my opinion, and that I feel confident is eally the true opinion, so that this form of words, *ermissu superiorum* might be put to a prayerook, to a book on geography, to a spelling-book, r to child's story book.

3288. But you were not aware that those words ere on the book?—I was not aware that they ere on the book, but I knew that they had been n the work years ago, and I had seen them; was not aware, till a few weeks ago, when saw that it had been mentioned to the Comittee, that the words were on the edition for this ear.

3289. You would not answer for the persons ho originally placed those words on the outside f the book; you cannot tell us what views they ad in placing them there?—No, but inasmuch s I have seen those words *permissu superiorum* laced on books of various kinds, which have not ad any official appearance whatever, I think it ay be concluded that they were only placed here in the sense which I have explained now.

3290. Would not a person be perfectly justified in inferring from what you have told us that his work is a book of authority?—Persons might nfer it, but I do not think they would be justified in inferring it merely from the words *Permissu superiorum;* and I know if they were properly informed they would not infer it from those words. I know with respect even to the word *Imprimatur*, that frequent applications are made to the archbishop for his *Imprimatur* for certain books; and the application is often refused simply on this ground, viz., that although, as it has been said, the *Imprimatur* means nothing whatever, except that there is no error against faith or morals, people often advertise it in a way that seems to attach to it an importance which it does not possess.

3291. But what would be the effect if now those words were struck out?—None whatever.

3292. You think that nobody would suppose that there were errors detected in the work, and that the authorities no longer gave it their sanction?—I am sure that it would make no difference whatever, because the work now has established its position.

3293. I think you told us that if you were aware that there were errors in the work, and that the ecclesiastical authorities sanctioned those errors, you would not correct them?—If they were merely errors of designation, for instance. In some cases, where I have thought it of any importance, I have called the attention of the persons revising the sheets to an inaccuracy, and have said, "Would you not prefer that I should express it in this or that way," but at other times I have not thought it at all necessary. Yet if I had had any idea, and if any one connected with this matter had had any idea that the Directory would ever be brought as evidence in any important question, of course every word would have been well weighed.

3294. But you do take great pains apparently to get the sanction of the authorities, and the authorities recognise this work as being the work that you publish under those circumstances?—I cannot say that I take great pains. I send them the sheets partly out of courtesy, and partly because I know that it is in their power to supply me with information, and to correct the information that I have from others. I send them the proof sheets, and I say, "These are the proof sheets of the Directory for next year, and I shall be happy to adopt any change that you wish to notice."

3295. It is more than a matter of courtesy to them when, whatever corrections they may make, or whatever they may direct you to insert, although you may be perfectly aware that there are inaccuracies in their insertion, you insert them in the work?—If there appeared grave inaccuracies in them, I do not think I should. There would be the further question for me to consider and to decide upon, between a mere matter of compliance with the wishes of the bishop and the interests of the book.

3296. Then you qualify the answer which was given a little time ago, I think, that you would adopt any error that you had returned to you?—That answer was given, I think, simply with regard to the question that was put respecting the designation of communities of men, and so forth. It was not an answer to be understood in a universal sense.

3297. With respect to the error which you stated to be one in your opinion, namely, with respect to certain religious communities, that seems to have been returned to you with the sanction of the authorities to whom you submitted it; and we find in it the heading "Religious Houses of Men," but as far as I have understood you to-day, that title is applied to men who are not religious? — Yes, in the summary, certainly.

3298. You say that that is an error; my question to you was whether that was inserted, knowing it to be an error, by you after it had received the sanction of the authorities?—I have no recollection of having adverted to it in any way.

3299. Perhaps you would wish to qualify another answer that you gave with respect to orders of men that are referred to in the work, namely, some who have no connection with religion whatsoever, and amongst those were

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mentioned the Oratorians?—That is who were not in any sense religious, but simply secular priests.

3300. The words that I took down were, "that were not in any sense whatsoever religious"?—Yes, in any canonical sense.

3301. But I wish to ask whether, in fact, it is not the practice, if it is not strictly a rule of this order, or this body or congregation of Oratorians, that every one of them should be priests?—I think there are some who are not priests. Some are called priests, and some are brothers; the brothers never become priests, I believe; they make themselves useful in the decoration of the altar, I think, and arrangements about the church.

3302. But those who are called fathers are everyone of them priests regularly ordained, are they not?—I think in some cases by anticipation they begin to call one a father before he is a priest; some few weeks before, when he is already in sacred orders; but that simply is a matter of domestic appellation, as I might call it, because they are not really fathers before they are priests.

3303. Is not their purpose strictly religious; take, for instance, the Oratory at Brompton, have they any other object but to propagate their own religion?—All secular priests have the object of propagating their own religion, but that does not make them religious.

3304. But you have pointed, I think, to another order, that had chiefly the object of teaching men which included those that had only the object of teaching as if they superintended education?—I do not remember. I do not apprehend the question clearly.

3305. I thought that you referred to the Oratorians as a class of men who might be engaged in teaching others, as if their purpose might be to superintend education?—I do not remember saying so; but as a matter of fact in London they do not teach at all; their whole work is parochial. In Birmingham, I believe that some of them do teach.

3306. What you mean by parochial duty, is strictly religious?—No; that is, their church exactly corresponds in its work and in the way in which it is conducted to any other Catholic church in London.

3307. Do they preach?—Yes, and administer the Sacraments.

3308. Have they no other purpose?—They have no other purpose than that of simply secular priests; or you may call it parochial work, priests' work, or ecclesiastical work for the instruction, &c., of the people.

3309. And in certain respects they are strictly in relations with the bishop and archbishop?—They are under the bishop; they receive all their faculties from the bishop.

3310. Does he mark out the district in which alone they can act?—Yes, just the same as in the case of any other priests in London.

3311. And they occasionally refer to a superior who may be either in this country or out of this country?—I have no knowledge of their ever referring to anyone but the bishop; I do not know whether they do or not. The bishop has as much control, as far as my information goes, over the Oratorians as over any other secular priests in the diocese, with this exception, that if he wishes to move one of them they would say, "We have built this church and house at our own expense, it belongs to us, and you would not wish to remove us from that which is really our own possession."

3312. Could he not interfere with the mode of administering in their own church?—Yes, he could; he might say, "You must have service at different hours, you must not have so many services, you must preach oftener or less often." And the archbishop could at any time if he thought proper deprive them of any of their faculties.

3313. Mr. *Matthews.*] The faculty is a permission for a priest to administer the sacraments?—Yes, in a technical sense, depriving a priest of his faculties is depriving him of his jurisdiction.

3314. A priest cannot, I presume, administer the sacraments in the diocese of a bishop without the permission of that bishop?—No; and the bishop can limit his faculties or extend them if he chooses.

3315. I observe that the Right honourable Chairman appears to have misunderstood the sense in which you have used the word "religious;" when you speak of a religious man, do you mean merely of the monastic order?—I mean one of a regular or "religious" order.

3316. It is quite unnecessary, is it not, that a member of a regular order should be a priest at all?—Yes.

3317. A man may be a regular, although he is not a priest?—Yes.

3318. Shortly, a regular is a man who takes the three known vows, and is subject to a rule approved by the Holy See?—Yes. When I use the word "religious," as applied to any community, I use it in its technical sense.

3319. Mr. *Pemberton.*] As bound by vows?—Yes, as bound by vows.

3320. In your sense, you would consider that a community of priests established for the purposes of prayer, preaching, and the propagating of the Roman Catholic faith, was not a religious community necessarily?—No, not necessarily.

3321. You object to the term official being used with reference to the Directory?—Except in the sense that I explained; in a rather wide sense.

3322. I suppose that it has a very wide circulation amongst Roman Catholics?—It has a good circulation.

2323. And no doubt it is read by the superior clergy, bishops, and archbishops?—They consult it, as it is the only book that contains a clergy list, for instance; the only book that contains the resident clergy in England and Wales.

3324. Have any of the superior clergy objected to the word official, as applied to this book?—No, they have not, not to me.

3325. You have explained to us the use of the word "*Imprimatur*," and you have said that the words "*Permissu superiorum*," when printed, are only intended to show that the usual custom has been followed of submitting any book to the authorities, whether on religion or any other subject, and you have also said, I think, that "*Imprimatur*" has often been refused by the present Roman Catholic Archbishop?—Not often, but sometimes, I meant: and because, as I have seen in newspapers, books are advertised, "with the '*Imprimatur*' of the archbishop;" and people sometimes buy them, thinking that this gives them an importance which it does not give.

3326. Do you not think that the appearance of the words "*Permissu superiorum*" would render

der people who are aware of this custom, ble to suppose that this book has been sanc- ned by the authorities?—It might in some y rare cases; but I think the general impres- n on the part of those who saw these words in way in which they are used by the publisher, uld be that the superiors were aware of pub- ation and did not put any objection.

3327. Or at all events would have seen it?— s.

3328. A person would necessarily suppose from ing those words that the authorities had ually seen the work?—Yes, that they had e cognisance of it.

3329. Do not you think that they are rather nger words than the simple word "*Impri- tur*"?—No, I think not, because "*Imprimatur*" ans "Let it be printed, I permit it to be nted, I have no objection to its being printed."

3330. Then there is really no difference between words "*Permissu superiorum*" and the word *mprimatur*"?—No, I see no difference.

3331. I mean there is no acknowledged differ- e?—There is no acknowledged difference.

3332. Mr. *Jessel.*] Will you look at page 124, diocese of Beverley, in the "Directory of 1870," ere you will see "religious houses of men, four," uld you tell me whether any of those four, and ich, are not regulars?—Of course I can only ak according to the general designation. I ve no knowledge individually of those par- ular houses; but Benedictines, and all who Benedictines are regular and are religious.

3333. Will you tell me if any of them are not gulars?—I am not sure that any of them are t, because I have no knowledge, of the Vin- ntian Fathers, for instance.

3334. Or the Fathers of Charity?—My impres- n is that Fathers of Charity are; but the ncentian Fathers, I know nothing of.

3335. Do not you know whether they are or e not?—I am not able to say. Of course, I ppose it is understood that in saying this I rely say it with respect to the designation; know nothing of those particular houses, I do t mean to say that this or that particular house a religious house.

3336. At page 135 of the diocese of Bir- ngham, at the bottom of the page, you will d again, "religious houses of men," of those eaking should you say from the designation ly that any of them are not regular?—The hers of the Oratory, one of the three, cer- inly are not.

3337. With regard to the fathers of the insti- te of charity, what would you say?—They are e same as we have just referred to, and I ink they would be understood as religious, but ave scarcely any knowledge of their rules.

3338. If you look at the "communities of men," page 165 in the diocese of Liverpool, are any those not regulars?—I am not sure that any e not.

3339. Of course we pass over the first three, e Benedictine Fathers, the Jesuit Fathers, and e Passionist Fathers, of whom there can be no uestion, and we have then the Redemptorist athers, the Oblates of Mary Immaculate, and e Christian Brothers; could you not say as to em?—No; I cannot say that any of them are ot regulars.

3340. You will find, on turning to page 167 of e same diocese, that they are described as

"religious houses of men"?—Yes, but you cannot tell from that.

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3341. If you turn to page 173 you will again get a list of religious houses of men?—Yes.

3342. Do you know about those?—As I have said before, respecting the Fathers of Charity, I have not much information. I am not so positive about them, but Benedictines, Capuchins, Carmelites, are religious.

3343. Mr. *Matthews.*] Sisters of Charity are not regulars, I presume?—Except in a very wide sense indeed; probably in the widest sense they are.

3344. Mr. *Jessel.*] Will you turn to page 197, where you will find there again, "religious houses of men"?—I have no knowledge of the first of them, the fathers of Stonyhurst, nor of the Xaverian Brothers. I mean that I have no evidence that the fathers of Stonyhurst are severally and each of them Jesuits.

3345. Do you know whether the Christian Brothers are or are not?—I believe the Christian Brothers do take vows, but I am not certain.

3346. If you turn to page 224, there is again a list of religious houses of men, and we find there the Redemptorists, the brothers of the Christian schools, and the Xaverian Brothers again; I suppose you only give the same answer, that you cannot be certain whether they are rightly described?—I do not know about the Xaverian Brothers. Of course it would all depend upon whether they take vows; if they take vows they are religious.

3347. I mean that the description, "religious houses of men," would not satisfy your mind that they were regulars?—No, it would not.

3348. Mr. *Matthews.*] As a matter of fact have you ever, since you have been editor, asked any permission for the publication of that work?—None whatever; I could omit the words, "*Permissu superiorum*," without any difficulty.

3349. The words have been continued from an early date?—Yes, they appear to have been on the "Directory" many years ago.

3350. The old title page has come down just the same as with the tiara and the keys?—Yes; I have no recollection of ever having ordered the words to be put upon it.

3351. Mr. *Talbot.*] Would it be desirable that the words should be omitted in future?—I think so; I shall certainly omit them, to preclude misunderstanding.

3352. Mr. *Newdegate.*] Should you feel at liberty, as you are secretary to Dr. Manning, to alter the form of this work without his sanction, and without that of the bishops who contribute to it?—Yes, I could make any alteration I chose; but, of course, if I went too much against the feeling of the people, as to the convenience of the arrangement, or the kind of matter that was inserted, the sale would fall.

3353. I ask you, as being secretary to Dr. Manning, and an ordained priest acting in his diocese, and under his directions, whether, without reference to Dr. Manning, and without reference to any of the bishops who contribute to this work, you would feel yourself authorised to alter it in any manner that might to your own private discretion seem good?—I consider that, as editor and part proprietor, I have absolute control over it, and can alter it in any way whatever; condensing or amplifying the information adding to it, or leaving out whatever I choose.

3354. But would not your discretion be con-

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trolled by the position which you occupy?—In no way whatever; it is quite distinct; I do not consider that my discretion as editor is any more controlled by the position that I occupy than if I was a simple layman.

3355. Then, in short, your position as secretary to Dr. Manning, and as a Roman Catholic priest, does not at all interfere with your action with reference to these Roman Catholic institutions?—I do not understand what you mean; you mean as editor, I suppose. I think, perhaps, this may be an answer: that it does not at all interfere with any discretion or power which I have as to what I say respecting those institutions as editor.

3356. Should you, occupying the position that you do in connection with Dr. Manning, and as a Roman Catholic priest within his diocese, exercise your discretion in matters connected with the description of one of those religious institutions without consulting him?—I am not aware that I ever consulted him at all on the Directory. The only time when I have consulted him was once, simply as I would consult a friend, respecting a particular mode of expression, or sentence: once in the preparation of the editorial matter, when I wanted to give an accurate definition of what the church understood by indulgences, I went to him and asked him whether he thought my meaning sufficiently clear. I do not remember consulting him in any other respect than that.

3357. You have stated that this publication is official only in the sense in which you have described it, and that it is not official like the "Post Office Directory"?—Like the "British Postal Guide," which is published by the Post Office quarterly; the "London Post Office Directory" is a private publication, with an extensive circulation, by Mr. Kelly.

3358. Is it possible, considering the position of the Roman Catholic church in this country, as a purely voluntary association, that any document issued by any authority of that church should have the same official character as a document issued by authority of the officers of the regular Government established in this country?—Any document issued by any bishop of the Catholic church in England could not have any but a spiritual authority, entirely distinct; and it could not conflict with the civil authority.

3359. In short, it would not have the same legal official authority as a directory issued by the legal officers of the Crown of this country?—If any document were ever to be put forth called official, or intended to be official, by the bishops of the Catholic Church in England, purporting to give official information respecting persons in an ecclesiastical position, I suppose such a document would have its authority, but I do not see much the connection of the question with this subject.

3360. It would have that which you describe as "its authority," but not the authority of law?—No, it would be entirely distinct; we profess not to have any authority over the laws of the country; we wish to be good subjects.

3361. There is that distinction between the authority upon which the Roman Catholic "Directory" is issued, and the authority upon which the "Post Office Directory" is issued?—The one relates simply to matters of society; the other relates to persons who are connected with spiritual work in some way.

3362. And there is a difference, I believe, between the three terms to which you have referred; between the term "*Imprimatur*," the term "*Nihil obstat*," and the term "*Permissu superiorum*"?—The term "*Nihil obstat*" is always used in connection with the "*Imprimatur*;" that is to say, according to the custom observed in England and in Catholic countries, the "*Imprimatur*" is not given until somebody has looked over the work, and has told the bishop, "I find here no errors against faith, and nothing injurious to morals." The bishop then, although the book were in itself absurd and trifling, could, if he wished, say, "Put the '*Nihil obstat*,' and I will put the '*Imprimatur*.'"

3363. Do I understand you that "*Permissu superiorum*" is a higher commendation than "*Nihil obstat*"?—Not a higher commendation. I say that the "*Nihil obstat*" does not stand alone. "*Nihil obstat*" and "*Imprimatur*" always appear upon the same page, but "*Permissu superiorum*" is not higher than both of them taken together.

3364. But it is equivalent, is it not?—I do not think even it is equal, because when "*Nihil obstat*" and "*Imprimatur*" are used, it is a proof that the book has been actually revised by somebody, and that that person has reported upon it to the bishop that he finds in it no errors. "*Permissu superiorum*" merely means that the superior has had some knowledge of the intention to publish it, and that he has said "You may publish it;" it does not imply that the book has been examined even.

3365. But the fact of your evidence is this, that the materials of this book are supplied by the Roman Catholic bishops, or under their direction?—That is to say, opportunities are given to the Roman Catholic bishops, or to others under them, to make any alterations that they wish in the book that I have prepared for publication.

3366. In that respect you do not depart from the habit of a work which has now existed for many years?—I do not know in what way it was published in former years, but my acquaintance with it is not much more than of four or five years at the most.

3367. But according to your knowledge of this work, have you not found that it has contained previously inaccuracies unworthy of its purpose?—I have no recollection of it now; I may have found them, but I have no recollection of it. I considered some years ago that it was very unsatisfactory from the careless way in which it was got up.

3368. And since it has been in your possession have you not been at some pains to continue its accuracy?—I have taken some pains to make it accurate, but with what success it is impossible for me to tell; I have taken pains certainly.

3369. And in your position, I conceive it would be painful to you to find that there were serious inaccuracies in it—It would not be more painful to me on account of being secretary of the archbishop; it would be simply the same as with anyone else who undertakes to publish any book, and who must needs find it painful, I think, if it is shown that he has not done his work well.

3370. But the fact of your being secretary to Dr. Manning does not render your discovering inaccuracies in the work which you edit less painful?—Certainly not more painful.

3371. Mr. *Matthews.*] As editor and proprietor of the Catholic Directory, have you authority yourself

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yourself to strike out the words "*Permissu superiorum*" on the title page?—Quite so.

3372. Without consulting the Archbishop of Westminster, or any other bishop?—Yes; and if I do strike them out I shall not say a word to any of them.

3373. Have you authority, as editor and part proprietor of the Catholic Directory, to strike out the list of communities of men in any one diocese?—I can do so if I wish.

3374. For the convenience of the information you insert it; but are you bound by any duty, ecclesiastical or otherwise, to retain that information if you choose to omit it?—None whatever; I might even go so far, supposing I had a pique against any bishop, as to omit all notice of his diocese; but I should ruin the book: and I state this extreme hypothesis of what I am morally incapable of, only to show what an editor and proprietor might absolutely do.

3375. But there is no obligation upon you to print any part of it?—None whatever.

3376. Do you refer to the bishops to correct your proof sheets, as the persons who are best informed as to the work of the clergy in their dioceses?—I refer to them solely in that respect.

3377. Are you at liberty to do with that information, according to your own views of your interests as editor and proprietor of the Catholic Directory?—I am at liberty; it is simply with me a question of courtesy whether I make any change or not.

3378. *Chairman.*] But you are interested in making it as accurate as possible?—I am interested in making it as accurate as possible.

3379. You could make it otherwise, but that would be against your interest?—I am interested in it commercially, because I am part proprietor.

3380. Mr. *O'Reilly.*] The honourable Member for North Warwickshire has informed you that what he calls the Italian civil courts (he did not particularise what court or of what place) have decided that the Oratorians are regulars; is it within your knowledge that a law has been passed in the kingdom of Italy, confiscating the property of all the regulars, and that consequently there would be a direct interest in the decision, inasmuch as if that decision was not given the property of the Oratorians in the Italian Kingdom would have escaped confiscation?—I am not aware of what they have done, but I believe if they have chosen to consider the Oratorians as regulars, in all probability they have done so simply to get their money.

3381. Mr. *Pemberton.*] You do not know anything of the law of Italy?—No.

Mr. Robert Ross, called in; and further Examined.

Mr. *Ross.*

3382. Mr. *Newdegate.*] In giving evidence before this Committee with respect to the extracts that you had taken from the poor rate-book, you omitted two properties in deference to a question that I put; I think the last institution with respect to which you gave evidence was the Carmelites, and in your list there were two previous to that Carmelites institution with respect to which you have made extracts from the assessment in the rate-book?—One of them relates to a convent in Bond-street, Chelsea; and under the heading, "Name or Situation of Property," it is designated "The Convent;" the name of the occupier is Selina E. Curtis, and the name of the owner is the same. Under the "Description of Property Rated," it is called a "School and Orphanage." The gross estimated rental is 448 *l.*, and the rateable value is 400 *l.*; and there is a property connected with it which goes under the same name in every respect, called "The Convent." Selina E. Curtis is the occupier, and Selina E. Curtis is the owner, and it is also called "School and Orphanage," but the value is 112 *l.* and the rateable value 100 *l.*

3383. Is that all the information which the rate-book contains with respect to that institution?—This is from the valuation list.

3384. Is that all the information which the valuation list contains with respect to that property?—With regard to these points of that property. It was not necessary, I conceived, to go into all the details of the rating, but to find out with respect to the ownership, occupancy, and the value of the property. All the information given is contained in the valuation list.

3385. *Chairman.*] Are those certified copies of the entries in the parish book?—In the Valuation Book. In almost every instance, it was intimated to me that the figures, and the other facts in the valuation lists were taken entirely from the rate-book; sometimes it was intimated to me that they were got by sending out special slips, and collecting information in that way.

3386. Mr. *Newdegate.*] Have you the details of any other institutions?—Yes, I have a number of others; I have an instance of a property in Kensington-square, and if I am to be permitted to give the designation in the Catholic Directory, they are called Sisters of the Assumption of the Perpetual Adoration of the Blessed Sacrament. This is rather an extensive property, consisting of Nos. 24, 25 *a*, 23, and 22, Kensington-square; the occupier is Madame Macnamara, and the owners are reputed to be J. M. Macnamara and others. It is called a house, and the gross estimated rental of No. 24, Kensington-square is 165 *l.*, and the rateable value 138 *l.*; the gross rental of 25 *a*, Kensington-square, is 110 *l.*, and the rateable value 92 *l.*; the gross rental of 23, Kensington-square is 150 *l.*, and the rateable value 125 *l.*; and the gross rental of No. 22, Kensington-square is 100 *l.*, and the rateable value 84 *l.*

3387. Mr. *Talbot.*] Are you reading from the rate-book or the valuation list?—From the valuation list; the extracts were made by my own hand.

3388. Is this valuation list drawn up by the assessment committee of the board of guardians, upon which they make the rate for the relief of the poor?—I understand it to be so.

3389. Mr. *Newdegate.*] Is that the whole of the information which you have with respect to that property?—No, there is also a number of cottages connected with it.

Thursday, 14*th July* 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. George Gregory.
Mr. Jessel.
Mr. Matthews.
Mr. Newdegate.
Sir John Ogilvy.
Mr. O'Reilly.
Mr. Pease.
Mr. Pemberton.
Mr. Sherlock.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. ALFRED SMEE, re-called; and further Examined.

Mr. *A. Smee.*
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3390. *Chairman.*] I BELIEVE that you wish to make some correction in the evidence that you gave here on a former occasion?—I do. I may state, with regard to the dress which I said my relative wore when he came to see us, that I have tried to recall to my mind the exact dress and I utterly fail to recall to mind the exact dress that he wore; but it is fully described in the "Life and Letters of Faber."

3391. When last you were examined, you stated what the dress was that your relative wore when you saw him?—I stated that I thought it was a white dress. My mind was evidently confused by the white dresses I had lately seen abroad.

3392. You found that you were mistaken in saying that it was a white dress, and you wish that error to be corrected?—Yes, I wish that to be corrected in the evidence. I cannot describe the dress from memory, but it is described in this book, and that being public, I think it is of no consequence for me to describe it.

3393. Trusting that book, you believe that what you stated before was an error?—It was an error; and I have inquired at home. My family seem to recollect the dress, as I stated at the time, better than I do.

3394. That dress you then called white; but you have looked into that book and found that that was not the colour of the dress that they wore in the Oratory?—Not the kind of dress that he used to come to our house in.

3395. Mr. *Newdegate.*] What is the book to which you refer?—"The Life and Letters of Frederick William Faber, D.D., Priest of the Oratory of Saint Philip Neri, by John Edward Bowden," of the same congregation.

3396. When was it published?—In 1869.

3397. *Chairman.*] The question which you were asked was, "Do you state then that your relative came to you in a white dress?" And your answer was, "It was a monastic dress." Then you were asked, "A white one"? And your answer was, "I think it was white, as well as I remember; it was a lightish coloured one"; is that what you wish to correct?—I wish to correct that; my people say at home, and this book which I have in my hand states, that there was also a cross in red cloth, but I utterly fail to remember it.

3398. But that I do not see in your evidence?—No.

3399. Is there any other error that you want to correct in your evidence?—I understood that on the last occasion, I put in a script as part of the evidence; it was not sent to me to correct, and I do not know whether it was left out; I consider this script (*producing it*) one of the most important parts of my evidence, and as really belonging and appertaining to it.

3400. Is that a testamentary paper?—The scripts are all the written documents which have to be brought into court when a will is contested.

3401. Then that paper would have been of a testamentary character?—Yes.

3402. Mr. *G. Gregory.*] Did the judge refer to it in the judgment?—I cannot answer that question off-hand.

Mr. JOHN ANNAND, called in; and Examined.

Mr. *J. Annand.*

3403. Mr. *Newdegate.*] I THINK you are a Clerk, residing in Richmond-street, Edinburgh, are you not?—Yes.

3404. Are you aware that a large amount of property was bequeathed sometime since by the late Captain Peter Mitchell, who resided in Inverleith-row, near Edinburgh, for the building and endowing of an institution in connection with the Church of Rome in Scotland?—Yes.

3405. Mr. *Jessel.*] Do you know what that instititution is?—Yes.

3406. What is it?—"An asylum for clergymen of the Roman Catholic religion officiating in Scotland, who may be incapacitated by age or infirmity for the discharge of their sacred duties."

3407. Mr. *G. Gregory.*] Do you know whether the asylum is founded?—Not definitely.

3408. Mr. *Jessel.*] Do you know where it is?—Not definitely.

3409. Mr. *Bourke.*] Do you know that this Committee has been appointed to inquire into Conventual and Monastic Institutions?—Yes.

3410. Mr. *Jessel.*] Do you know where the asylum is?—Yes.

3411. Where is it?—In Perth.

3412. Where in Perth?—Kinnoull Hill.

3413. Mr. *Matthews.*] I understood you to say that you were not quite sure it was founded; that you only know that indefinitely?—I know it indefinitely.

3414. Were you ever in Perth?—Yes.

3415. Have you ever seen the place?—Yes; I have seen the building.

3416. What makes you say that it is an asylum for

for sick clergymen?—Through circumstantial evidence.

3417. Were you never inside it?—No.

3418. Did you ever speak to any of the inmates?—No.

3419. Mr. *Jessel.*] Do you know anything about the rules of the society, community or anything else on Kinnoull Hill; do you know anything at all about it?—Well, as I said before, I have only the circumstantial evidence.

3420. Tell us what you know about it yourself; what do you know about it?—I only arrive at it from reading the terms of Captain Mitchell's will, and from the building on Kinnoull Hill corresponding somewhat with the terms of Captain Mitchell's will.

3421. You have told us of the terms of the will, and for some reason or other you say that the institution at Kinnoull Hill corresponds with the terms of the will; now have you any other information about it than what appears in the will?—No; at this present moment I could not definitely say.

3422. Now, will you read me any other passage in the will, besides that which you have read, which shows anything about the nature of the institution to be founded?—Yes. "To the bishops of the Roman Catholic Church exercising their functions in Scotland, and including all of their order, whether or not designated as bishops' coadjutors, I bequeath in trust for the purpose aftermentioned, 200 shares, this sum being destined to the special object of establishing and endowing an asylum for clergymen of the Roman Catholic religion officiating in Scotland, who may be incapacitated by age or infirmity for the discharge of their sacred duties. This destination of the sum accruing from the 200 shares aforesaid, being carried into effect by the said right reverend prelates as trustees, hereto specially appointed, on the plan and under the regulations which they may judge most expedient, as decided by a majority of their number; and should there accrue more than they judge sufficient for the purpose specially designated, they shall be at liberty to apply the surplus to such other ecclesiastical purposes as in their judgment may be decided; not less than three bishops actually in office at the time being competent to determine any question regarding the disposal of the property thus bequeathed; and should it be discovered previously, or at the time of my death, that one or more of the legacies bequeathed in this testamentary deed had become lapsed in consequence of the pre-decease of the legatees, the division into 300 shares is notwithstanding still to be maintained, and the amount of the legacies thus lapsed is to be added to the shares assigned as above in trust to the Roman Catholic bishops, whom in this and in all other matters not otherwise provided for in this my latter will, I constitute my residuary legatees. I thank God, whose blessed providence has enabled me to restore to His Church so much of that property of which it has been iniquitously despoiled."

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3423. Is that all about the institution?—That is all.

3424. Then, as I understand you, you have no information as to the nature of the institution founded on Kinnoull Hill, except that it corresponds with the directions which you have read to us, contained in that instrument or will?—Yes.

3425. Mr. *Newdegate.*] You are not a member of any monastic institution?—No.

3426. And not being a member, you cannot give information as to the rules or constitution of any such institution?—No.

3427. *Chairman.*] Can you of your own knowledge, inform this Committee of the correctness of the extract, or verify the extract of that will that you have read out?—I do not exactly understand the question.

3428. You read out some extracts of a will. You were asked what grounds you had for presuming that they were correct, or that the property had been applied or left for the purposes there stated; and you proceeded to state what you had heard of what somebody else had said. Now we want to know whether you can verify them from your own knowledge?—I can certify that that is a correct copy of Captain Mitchell's will.

3429. You have compared it with the original will?—I have copied it from the will.

3430. Can you tell us anything, of your own knowledge, with respect to the application of the property so bequeathed?—No, except the moral presumption connecting the monastery in Kinnoull Hill with the terms of Captain Mitchell's will.

3431. But you have no personal knowledge of it?—No personal knowledge.

3432. Mr. *Newdegate.*] Where did you obtain access to the extracts of that will which you read to the Committee?—In the Register House in Edinburgh.

3433. Is that a public office?—A public office; a Government office.

3434. You knew something of Captain Michell?—I have heard about him.

Mr. John Macmillan Robertson, re-called; and further Examined.

3435. Mr. *Newdegate.*] Will you now produce the extracts of the deeds referred to in your answer to Question 2042?—If I remember right, I stated that certain extracts which I expected had been detained in consequence of an accident on the railway, and those are the papers which I have with me to put in. I was asked a question with reference to the properties of Dalbeth and Westthorn, and I think I stated that I was under the impression that a part of Dalbeth was what was included in the valuation roll under the name of Westthorn; but I find that that is not so; that Westthorn is a separate property, and stands upon a separte title, a copy of which I now put in. From this title it appears that Westthorn was disposed to the "Right Reverend Doctor John Murdoch, Roman Catholic Bishop, residing in Glasgow, Vicar Apostolic, in the Western District of Scotland, the Right Reverend Doctor Alexander Smith, Roman Catholic Bishop in Glasgow, the Reverend John Gray, the Reverend John Macintosh, the Reverend Donald Carmichael, the Reverend Donald McEachern, the Reverend Eugene Small, and the Reverend Roderick Chisholm, all Roman Catholic clergymen in Glasgow, the Reverend James Cameron, Roman Catholic clergyman in Maryhill, and the said Reverend Anselm Robertson, and to any other person or persons to be appointed to act along with or to succeed them in manner after-mentioned, and to the survivors and survivor of them, in

Mr. *Robertson.*

Mr. *Robertson.*

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in trust for the promotion of education in Scotland in connection with the Roman Catholic Church," and so on.

3436. *Chairman.*] Has that extract been verified?—It is simply a copy made by a clerk; it is not an official extract.

3437. Mr. *Matthews.*] Have you compared it yourself with the register?—I cannot say that I have seen every word of it; I know it to be correct from having seen the register.

3438. But you have not compared it yourself?—Not myself.

3439. Mr. *Newdegate.*] Do you believe that those extracts which you now produce are correct?—I am quite satisfied that they are.

3440. Can you give the Committee the particulars of the deed referred to in your answer to Question 1925?—The deed is granted by Doctor John Murdoch and certain other Roman Catholic clergymen in "favour of Eliza Daniel, Dalbeath House, and Ann Keasley, Frances Power, Mary Lowe, Emma Henrietta Rainbuck, and Mary Nordlolon, residing at Hammersmith, near London." The date is 20th of November 1851; the price is 3,250 *l.*, and there are no trust purposes mentioned in the deed.

3441. Are you satisfied that the extract which you have now read is correct?—I have not read an extract, but those are particulars of this deed.

3442. Will you give the particulars of the property referred to in your previous evidence in Question 1883?—That question relates not to the deeds under which the property was acquired, but to the entries of it in the valuation roll. There are four deeds under which the property referred to in these entries was acquired, and they were all conceived in favour of the same individuals. The first was registered on the 7th of February 1866, two upon the 15th of May 1866, and the 4th on the 16th of August 1866. The deeds are all granted in favour of "Alfred Weld, George Porter, and Thomas Porter, and the survivors and survivor of them, and the heirs of the last survivor, as trustees and trustee for behoof of themselves and of the survivors and survivor, and of the heirs of the predecessors," and there are no trust purposes stated.

3443. And these deeds are correctly copied?—I have given a correct statement of what appears on the public register.

3444. And these apply to the property referred to in your answer to Question 1883?—Yes.

3445. This is the property in connection with which you have coupled the name of "the Reverend Alfred Weld and others, per T. B. Parkinson, 40, North Woodside Road;" and the tenant is also stated to be "the Reverend Alfred Weld and others"?—Yes The Committee put certain queries to me with regard to the valuation roll. I have brought with me, for the information of the Committee, two of the forms which are issued to proprietors and tenants; and I think the Committee will find them very serviceable in regard to the answers given, these being blank forms as issued by the registrar (*handing in the same.*) (*The Witness handed extracts from deeds,* vide *Appendix.*)

Mr. Robert Ross, re-called; and further Examined.

Mr. *R. Ross.*

3446. Mr. *Jessel.*] Will you look at that printed paper headed "Extracts from Valuation Lists or Rate Books," and referring to the paper, except the last column and the note, will you tell me whether you made those examinations yourself, and whether they are correct?—I did so, and they are correct; may I be permitted to say that I have also compared the last column, and it is as correct as the others, I believe.

3447. The last column is correct according to the Roman Catholic Directory; but you do not understand, perhaps, my meaning; you have connected with the other columns the last column, which cannot be the result of examination but of inference; all the rest is the result of examination?—It is precisely as you say; I have compared this with what appears in the Roman Catholic Directory, and it is perfect.

3448. But you infer the connection; that is not the result of examination, while all the other columns are the result of examination?—I quite understand the honourable Member.

3449. Mr. *Newdegate.*] Without the Roman Catholic Directory could you have discovered the properties referred to in the other columns?—I could; perhaps not all, but I could have discovered a considerable number of them.

3450. But there were some of these properties that you could not have discovered without reference to the Roman Catholic Directory?—There were some.

3451. Can you point out any of them?—I would require to look over the list a little before I could answer that question; I do not think I could have verified any of those which are here represented as "houses."

3452. Give an instance of what you mean?—Under "Description of property rated," I find the second property under "Kensington" called a "house," and I could not have recognised that as a convent or a monastery, or anything of the kind, unless I had been guided to it by the Roman Catholic Directory.

3453. Is there any other instance?—The four following ones are instances, and there are several others.

3454. Will you give the particulars of them?—Under the "name or situation of property" I find "St. Joseph's House, Portobello Road, Notting Hill."

3455. How do you find that described?—That is, under "description of property rated," called "a house." I could have found out that one; but I may say it is rather conflicting to find out these by merely looking at the list, because in one column you may be able to find out the connection, and in the other you may not; but if the Committee desire I shall be very happy to make out a complete list of those I could not verify without the help of the Romish Directory.

3456. I wish to know exactly which are the properties, for the discovery of which you are indebted to the Roman Catholic Directory; can you supply that to the Committee?—I believe I can, and I will endeavour to do so.

3457. Mr. *Sherlock.*] You mentioned that you were a student; are you a student of Divinity?—I meant that to be understood in a general sense; I did not wish to go into particulars about it.

Monday, 18*th July* 1870.

MEMBERS PRESENT:

Mr. Matthews.	Mr. Pease.
Mr. Newdegate.	Mr. Pemberton.
Sir John Ogilvy.	Mr. Sherlock.
Mr. O'Reilly.	Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. JAMES ADAM, called in; and Examined.

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3458. Sir *J. Ogilvy.*] ARE you a Member of the Scotch Bar?—I am, and have been for 20 years.

3459. Are you aware of the nature and the terms of the inquiry upon which the Committee is engaged?—I am.

3460. And you have been asked by the Lord Advocate of Scotland to attend here to-day to give evidence before this Committee?—Being in London, I was requested by his Lordship to attend to give what information I could to the Committee upon that branch of their inquiry which relates to the state of the law as regards monastic and conventual institutions in Scotland.

3461. Will you inform the Committee what the state of the law in Scotland is as regards monastic and conventual institutions?—I think I shall best do so by referring the Committee to a Scotch Act of the date of 1700, chapter 3, being the 8th and 9th of King William's first Parliament. That was a statute which revived and ratified various old Acts against Papists in Scotland, and it is termed "An Act for preventing the Growth of Popery." Among other things that Act provided, that unless a party should purge himself of Popery by taking and subscribing the formula annexed to that Act, he should not be entitled to purchase property in Scotland; in other words, that voluntary dispositions should become null and void. He was not to be entitled to succeed to heritable property in Scotland, and was not to be entitled to grant gratuitous dispositions of heritages in prejudice of his heirs; and it contains, among other things, this clause, which, perhaps, I had better read to the Committee, as the shortest way of stating it: "That all dispositions, donations, legacies, or other deeds, in favour of cloisters or any other Popish societies, or to any persons to their behoof, shall be void and null in so far as concerns the said cloisters or Popish societies, but the same shall *ipso facto* fall and accresce to the nearest Protestant relation to the giver at the time when the said disposition, donation, legacy, or other deed were destinate to be effectual." That was the provision which it contained.

3462. *Chairman.*] I presume that this law is in force now?—I was going to state what has followed upon that law. It continued to be in force till the 33 Geo. 3, c. 44, in the year 1793. That Act substituted the oath abjuration and declaration (which had been previously introduced into England) in the place of the formula appended to the old Act, and it further relieved all parties who took the oath abjuration and declaration from the pains, penalties, and disabilities contained in the old Act of 1700. There was an exception, which is not pertinent to this inquiry, which I need not trouble the Committee with; but that continued to regulate matters in Scotland until the Catholic Relief Act, the 10 Geo. 4, c. 7, was passed, and which was applicable to Scotland as well as to England; and by that, of course, in order to hold property in Scotland, it became no longer necessary to take the oath.

3463. Do we understand that that applied entirely to Scotland; that is to say, in lieu of provision, it was applicable to Scotland as well as to England?—The Catholic Relief Act was.

3464. Mr. *Newdegate.*] You spoke of the statute of Geo. 3, passed in 1793, which repealed the previous statute of 1700, and substituted what you describe as an oath of abjuration and declaration in lieu of the declaration under the previous Act; is the declaration to which you refer equivalent to what we call the oath of supremacy?—I will show exactly how that stood. The preamble of the Act of 33 Geo. 3, c. 44, proceeds upon the narrative that the oath which had been introduced at that date, or shortly before that date in England, had been found proper and sufficient, and that it was expedient to substitute that oath for the previous formula. I may state, as a Scotch lawyer, that so far as my own knowledge extends, or as far as I can discover from the books, no case has occurred, or is reported in Scotland, bearing upon the construction of those Acts, or upon the matter of inquiry now before this Committee.

3465. Do you mean cases of the violation of this statute enjoining the oath of abjuration and declaration?—There is no such case reported, or any case upon the construction of the statutes, bearing upon this matter.

3466. By subsequent Acts, and particularly by the 10 Geo. 4, c. 7, the Relief Act, which is a general Act throughout the kingdom, was not the oath of supremacy modified in the case of Roman Catholics in Scotland, as well as in the

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rest of the United Kingdom?—The effect of the 10 Geo. 4, c. 7, was to substitute the oath required by that Act for the previous oath of the 33 Geo. 3.

3467. What you have told us has brought us to this, that *quoad* any oath that might be required of persons in Scotland, it is the same oath that was required by the Relief Act of 1829?—Yes, it is so; or at least, I understand that it is.

3468. Mr. *O'Reilly.*] Does the change with regard to that oath which was made in England by an Act passed, I think last year, or the year before, referring to the Report of the Commission on Oaths, apply to Scotland?—I think it does: I think it is the same Act, but we have an Act which does make the change in Scotland.

3469. Mr. *Newdegate.*] At present, whatever may have been the former laws with respect to declarations that may be required of Roman Catholics in Scotland, they are the same as in England?—That is my belief now: that there is no difference between the laws of the two countries in that matter.

3470. *Chairman.*] You are speaking now of the existing personal disabilities under which a person professing the Catholic religion in Scotland labours?—Yes.

3471. And you state that those are the same as in England; are there any laws affecting the disposition of property in Scotland that differ from those in England?—I was going to say that by the law of Scotland we can, as we call it, mortify a heritable estate for charitable and pious purposes.

3472. Will you explain what you mean by mortifying a heritable estate?—It means to grant or to bequeath in perpetuity.

3473. You have no law against mortmain, I believe?—No; we have no law against mortmain.

3474. Do we understand, then, that there never has been any law of mortmain in Scotland?—Not to my knowledge.

3475. And that property can be devised to be held in perpetuity by corporations?—Yes, by a corporation, or by trustees (if it is not a corporation), for charitable or pious purposes.

3476. Mr. *Matthews.*] There is no provision, as in England, that there must be a deed executed a certain time before the death of the donor, and enrolled?—No, there is no provision in Scotland; I may also say that there is no provision whereby public charities, such as I am now speaking of, are registered anywhere, nor are they under any inspection by a public officer, or anything of that sort.

3477. Mr. *Newdegate.*] Neither a public register of the valuation nor register of deeds?—No, in common with all titles in Scotland they are all registered as a matter of title, but it is not necessary that the purposes of the charity should be disclosed on the face of the title, and there is no public officer in Scotland who controls trustees, or inspects trustees, having charitable or other trusts under their management.

3478. *Chairman.*] Do I understand you to say that, in the first place, property could be devised or granted to be held by a corporation, and not subject to change by death and succession, as in the case of property held by individuals?—Yes, that would be so.

3479. Again, you say that there is no law that restricts the disposition of property on account of its purpose or application?—No, there is no statute; it stands upon the common law, and not upon any statute relating to charitable or pious uses.

3480. You have laws, I presume, that would require, if needed, proof of the circumstances, under which property had been disposed of by will or by deed; alluding, for instance, to influence used at the death-bed?—Yes, certainly.

3481. Mr. *Pemberton.*] It would be a question as to the validity of the will, I presume?—It would be a question as to whether the party was of a disposing mind, or whether influence was used to obtain the deed or will; of course we have all that.

3482. *Chairman.*] But you answered the question, I think, to the effect that there was nothing in Scotland corresponding to the Act of George the Second, which applies to England, and I ask if this death-bed law, as I believe it has been called, does not do that, inasmuch as no disposition of property can take effect unless it has been executed 60 days before the death of the person conferring or bequeathing it?—There is no distinction as regards any heritable property in Scotland as regards that matter; the law of death-bed applies to all equally.

3483. Mr. *Matthews.*] It applies to dispositions in favour of an individual as well as to dispositions in favour of a charity?—Yes, if the granter be proved to be ill of the disease of which he died.

3484. *Chairman.*] Then persons cannot take property under those circumstances?—No; but there is no exception in favour of one rather than another; it applies to all equally.

3485. Mr. *Newdegate.*] But are there not certain persons who cannot make a will in their own favour, or direct a will in their own favour?—I do not think that a will made in a man's own favour would be good; but that is apart from this inquiry, as I understand.

3486. The general law of Scotland is different with respect to wills, from the law of England, is it not, as it is different with respect to the registration of deeds?—Yes.

3487. Could you furnish the Committee with the particulars of what is called the law of death-beds in Scotland; what statute is it?—It is no statute; it is common law.

3488. Could you refer us to any cases decided, or law work, which would explain to us the difference which is known to exist between the law of England and the law of Scotland, in respect of death-beds?—I can refer you to the Scotch law authorities which would give that distinction. Mr. Erskine's "Institutes of the Law of Scotland" would give distinctly what the law of Scotland is on that matter; it is an old authority, and our leading authority in Scotland.

3489. *Chairman.*] But I think that we have understood from you that the purpose of a bequest or gift does not affect the validity of the disposition?—That is so, as a general rule, without, of course, giving any opinion that if the gift is for an immoral or illegal purpose it would be sustained; but that is upon a different ground again.

3490. Can you inform the Committee whether any inconvenience arises from that state of the law?—I have not considered that matter of inconvenience; I came to inform the Committee of how the actual state of the law was, but I am not here to offer any opinion of my own.

3491. Referring

3491. Referring to your experience, we ask if any cases have arisen from a disregard of the law?—There is no case of the kind in Scotland that I know of; no case has arisen before the courts.

3492. May I ask if there is much property disposed of for pious or charitable uses in Scotland?—I have not informed myself upon that matter; but speaking as a mere inhabitant of Scotland, I should say not much, but I am not here to speak at all as to the facts in that matter; I am only here to inform the Committee to the best of my ability as to the state of the law, not to the actual facts about it; I am not here to give any evidence upon them.

3493. Mr. *Newdegate.*] For guiding cases you would refer us to Erskine's Institutes?— You will find the principle of the law of Scotland as to the death-bed there.

3494. Given in guiding cases?—No, there are many cases since.

3495. By guiding cases, I mean cases by reference to which the law of Scotland and the practice of the courts is now regulated?—There is no decision as to the law of death-bed in Scotland, upon this particular matter.

3496. But the cases which guide the present administration of the law in Scotland are principally to be found in Erskine's Institutes?—No, not cases; Erskine's Institutes will give you the principles of the law of Scotland upon the matter of death-bed. The best place to find the cases is in Shaw's Digest.

3497. Is that published in Scotland, or in England?—It is published in Scotland; there is a very recent edition published last year, in which all the cases upon that matter for the last 40 years will be found.

3498. Mr. *Pemberton.*] Is there not a book which explains the difference of the law in every point between England and Scotland; I refer to Paterson's Book?—Yes, it does on some points; I do not know whether it does upon this.

3499. You have said what we call the Mortmain Act does not apply to Scotland; is there any law applicable to Scotland analogous to ours with regard to superstitious uses?—No statute.

3500. By the common law of Scotland would a gift to support obits and prayers for the dead be valid?—There is no decision upon that matter; a case has never occurred within my knowledge; the law stands thus, that property may be given for charitable and pious uses.

3501. There has been no decision which says what a charitable and pious use is as distinguished from a superstitious use?—None, to my knowledge.

3502. I think you said that there had been no case at all referring to the subject-matter of this inquiry?—Not that I could discover.

3503. I presume you cannot give the Committee any information from actual knowledge of the extent of property held under such trust?—I cannot.

3504. *Chairman.*] Have you any reason to suppose that there are monastic institutions established in Scotland?—I have no special knowledge from which to speak upon that subject. I know what is said in Scotland; but that is so very vague that I would not wish to state it to the Committee. I have not informed myself in order to speak upon that matter to the Committee.

3505. But you have stated that the 7th section of the Emancipation Act, the 10 Geo. 4, applies to Scotland?—That is my opinion.

3506. We wish to learn from you if you consider that that law is an operative one, and deters persons of the monastic or religious orders establishing themselves in Scotland?—I am not prepared to speak as to how the fact stands with regard to that; I simply came, being in London, to state what the law was; but as to the extent of the existence of those institutions, or as to what effect the law may or may not have in deterring such institutions from being established, I am not prepared to speak.

3507. Have you never heard of its being put into operation once since its passing in 1829?—As far as I know, there is no case in our books reported upon the matter.

3508. Mr. *Matthews.*] As I understand you, the statute of 1793 was the first Relief Act to Roman Catholics in Scotland?—It did give them relief, and it was the first to my knowledge.

3509. You also say that that statute refers to the form of the English oath, which had been found sufficient?—Yes.

3510. And that was substituted, I presume, for some oath which Catholics could not conscientiously take, and which was prescribed by the statute of 1700?—It was substituted for the formula in this statute of 1700.

3511. And that was a formula which Catholis could not take without ceasing to be Catholics, and purging themselves of Popery?—That is so.

3512. You have also referred to the English Act, the 31 Geo. 3, c. 32, to which the Scotch Act seems to make reference?—Yes.

3513. Can you tell me whether in the Scotch Act there is any reservation resembling that contained in the 17th section of the English Act, the 31 Geo. 3, c 32, and which runs thus: "Nothing in this Act shall make it lawful to found, endow, or establish any religious order or society of persons bound by monastic or religious vows" . . . "And that all uses, trusts, and dispositions, whether of real or personal property, which immediately before the said 24th day of June 1791, shall be deemed to be superstitious or unlawful, shall continue to be so deemed and taken, anything in this Act contained notwithstanding"; is there any proviso of that sort in the Act for Scotland?—There is no such proviso, to my knowledge.

3514. In your view, is there any enactment whatever except the Emancipation Act of Geo. 4, which tends in Scotland to render either monastaries or convents illegal?—That is my view, that there is nothing, but there is no decision upon the matter; it is only my opinion.

3515. Then, I suppose, there can be no doubt that under the Act of Geo. c. 4, communities of men bound by vows are illegal?—I should come to that conclusion as a lawyer.

3516. In your judgment, according to the law as it seems to exist in Scotland, are communities of women bound by religious vows, lawful and permitted?—My opinion would rather be that they are legal.

3517. Upon what is that opinion based?—Because I do not think that prior to the Catholic Emancipation Act there was anything to prevent in Scotland the foundation of convents.

3518. Are you aware that the Catholic Emancipation

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Emancipation Act expressly excepts communities of women?—I know it does.

3519. Has it come before you in practice at all, as a Scotch Advocate, whether the legality of leaving property in trust for a community of women can be affirmed; looking at the clause in the Emancipation Act, is it legal to leave or give property in trust for communities of women?—The matter has not come before me in practice; I say that there is very little practice in such matters in Scotland, to my knowledge.

3520. Then you have no opinion upon that subject?—Not from my practice.

3521. Have you in Scotland any rule of law analogous to our rule of English law, which forbids the creation of perpetuities beyond a certain limit, which in England is limited to lives in being and 21 years beyond?—There has recently been introduced a limit with respect to individuals, I think, by the Entail Amendment Act, 11 & 12 Vict. c. 36.

3522. Do I understand, then, that by the law of Scotland the restriction upon the creation of perpetuities does not apply where the perpetuity is in favour of a charitable use?—That is my understanding of the law.

3523. Has any inconvenience been found to result in Scotland from that general exception to the law, against perpetuity being extended to all charitable uses?—Not to my knowledge.

3524. You have found no public inconveniences result from the want of an Act corresponding to our Mortmain Act?—Not to my knowledge.

3525. *Chairman.*] Do you know of any instance of the conveyance of property to a religious house or to any corporation, to be held in perpetuity?—There are various hospitals which must hold their lands so.

3526. Mr. *Matthews.*] When a conveyance is made to a corporation, the corporation must hold in perpetuity?—Yes.

3527. *Chairman.*] Do you know of any hospital in modern times to which land has been conveyed?—There are various hospitals holding land in Scotland.

3528. There is the great hospital in Edinburgh, Heriot's Hospital; that holds land, does it not?—Yes; Heriot's Hospital holds a great deal of land; and Donaldson's Hospital holds a great deal of land; and there is a still more modern one, Fettis's Institution, which holds land.

3529. Founded within this century?—Yes, it is founded within this century; in fact, the building is just being completed now.

3530. Mr. *Matthews.*] With regard to superstitious uses, I presume that at one time, and before the Relief Acts, it must have been illegal in Scotland to leave or give money to a priest that he should say masses for the soul of the donor?—Yes, certainly, it must have been so, because all saying of mass was illegal, and both the hearers and the sayers of masses were punished.

3531. Did that illegality result from any statute?—Yes; there were many statutes against saying mass in Scotland.

3532. Have those statutes been repealed?—I think they are repealed.

3533. Can you furnish me with the statutes which prohibit the thing, and the statutes which have repealed the prohibition?—I shall furnish a note of them.

3534. Do I understand that there never has been in Scotland any question raised in court about the illegality or legality of such a bequest as money to a priest to say masses for the soul of the testator?—I can find no such case.

3535. In your judgment that is a legal bequest in Scotland?—I did not say that.

3536. Have you formed a judgment about it?—I would rather not give an opinion upon that matter.

3537. Do you know of anything in the law of Scotland which should make such a bequest illegal?—That is, I think, putting the question very much in the same way.

3538. I presume that the law of Scotland, like every other reasonable law, only avoids a disposition of property where there is some reason for avoiding it?—That is so.

3539. The reason in the sense that I put it to you, must be a reason arising out of some statute, I presume?—We go a very great deal in Scotland upon common law in those matters.

3540. The common law in Scotland, as in England, arose in Catholic times before there were any Protestants?—Yes.

3541. And there could be hardly anything in Scotland which made the saying of mass with a particular intention illegal at common law?—There were the old statutes.

3542. Are there any of those old statutes still unrepealed, which makes the saying of mass, with a particular intention, an illegal act in Scotland?—I do not think that it is illegal in Scotland.

3543. Then a bequest, in order to bring about the doing that act, namely, the saying of mass with a particular intention, would be a good bequest in Scotland?—I have not considered that matter sufficiently to give an opinion about it.

3544. You are not prepared to say that, in your opinion, it would be a bad bequest?—I think it is right of me to say this, that being in London, I was only asked by the Lord Advocate to come before the Committee, and just to state the law as I understand it now to exist, but not its application.

3545. *Chairman.*] Could you state, from observation, what you believe to be the state of opinion upon this subject in Edinburgh and other places of importance in Scotland, and whether the people are not extremely averse to any of those endowments, whether to hospitals or other charitable institutions?—No; I would rather not state that, because I have no proper information to lay before the Committee.

3546. But if a Lord Advocate should have stated that to the Members of another Committee, have you any reason to think that it would be inaccurate?—I should think that nothing that the Lord Advocate stated would be inaccurate upon the matter.

3547. Mr. *Newdegate.*] Then the general presumption of the law of Scotland against abuse is, that it relies upon the publicity of deeds by registration?—That is to say, all titles to estates in Scotland are registered.

3548. For the purpose of preventing abuse?—No, as a matter of title; not for the purpose of preventing abuse. It is our way of holding land. All titles to heritable land are registered in Scotland, and nobody deals in land except upon the faith of the public registers in Scotland; but that is merely for matters of credit.

3549. The security to all persons and parties interested

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erested in property which the law of Scotland ords, is by the public registration of deeds, is not?—That is so.

3550. And the other security is the practice of courts under what is described as the death- law, which I understand you to be a practice claratory of what I understand to be the com- on law of Scotland?—I cannot say that, be- use in case of any breach of trust, or anything that sort, the matter would be brought before e Court of Session by any party having an terest, and the Court of Session has jurisdiction put that matter right.

3551. And in putting that matter right, it ould correct any abuse that had arisen under a ill?—That would be so.

3552. Mr. *Pemberton.*] The law is the same in ngland as in Scotland, is it not, as far as that is ncerned?—Except, that I understand that there an official in England charged with seeing that aritable bequests are properly administered.

3553. But as regards the execution of wills nerally and deeds desponing, there is no diffe- nce?—There are some differences as to the anner of execution.

3554. But as far as setting wills or gifts aside n the ground of undue influence, the law is the me in Scotland as in England?—I have no ubt that it is the same.

3555. Mr. *Newdegate.*] But there are differences n the law directing the mode of execution in cotland?—Yes, there are differences in the mode f execution.

3556. Mr. *Matthews.*] You say that you have certain provision for the registration of deeds of nveyance and disponing instruments; is it fficient to register the instrument by which a esh title is created without registering the in- trument that declared the trust by which the roperty is held?—That would be quite sufficient give a legal title.

3557. It is not necessary to register the decla- ation of trust?—Not at all.

3558. The system of registration is not directed securing the due or efficient execution of any rust?—It is not for that object at all.

3559. The object is simply to have a public ecord of the title to the land?—Yes, to let people now who is the owner of the land, and with whom s the title.

3560. It does not assist in any way in cor- ecting any trust which may be an illegal one?— It has no such object; but, in point of fact, it hap- ens that trusts are sometimes recorded, and you an then see them if you desire it.

3561. It leads to publicity?—Yes, that is all.

3562. Mr. *Newdegate.*] It is necessary, is it not, to publish the names of the real trustees in the office in which the deed is registered?—It is necessary to record the actual deed which conveys the land, and of course it has the names of the holders of it.

3563. And the names are published in the deed as registered?—Certainly.

3564. Mr. *Sherlock.*] Is there any publishing of them, otherwise than entering them in the office?—None; if you wish to have information of the right or title to any land, you can go and search.

3565. I presume that is under the particular statute for the registration of deeds in Scotland? —It is so, but it is not often had recourse to.

3566. Mr. *Pemberton.*] Nobody looks, except those interested in the property?—No.

3567. Mr. *Sherlock.*] Is the registration impe- rative, that is to say, is there any Act making it imperative that every person should register every deed under which he purchases?—Not the least; but if you do not, a second grant first registered would be better than the first grant last registered; and of course everybody at once puts his deeds on the register.

3568. Are you aware that the same thing exists in Yorkshire, in Middlesex, and in Ireland also? —Yes.

3569. You are not bound, I believe, to state the precise consideration upon which the pur- chase is made?—No, not the least.

3570. And it has nothing to say to monastic institutions at all?—Nothing whatever.

3571. With regard to this death-bed law, that is the common law of Scotland, as I understand you?—Yes.

3572. It vitiates *ipso facto* a disposition within a certain time before death?—Yes; a deed exe- cuted within 60 days of death by a man on death- bed, and when ill of the disease of which he died, is vitiated, no matter whether he be of sound disposing mind, or not.

3573. And it is not a question, as I under- stand you, of undue influence, or otherwise?— Not the least.

3574. Or as to the state of his mind, but it is a question of time?—It is a question of time.

3575. Mr. *Matthews.*] The limit of time is substituted for an embarrassing inquiry, whether undue influence was exercised?—No doubt that was the object of it.

3576. Mr. *Sherlock.*] That being so, the only consideration would be, how long before the time of his death the deed was executed?—Yes, it would be a totally different ground of reduction from that of a deed on the ground of undue in- fluence.

Mr. William Gray Farmer, called in; and Examined.

Mr. *W. G. Farmer.*

3577. Mr. *Newdegate.*] I think you are a resident at Hinckley, in Leicestershire?—Yes.

3578. And three or four years ago you were chairman of the board of guardians?—I was for two years.

3579. And since then you have been on a com- mittee of ratepayers and guardians who made a valuation of the parish of Hinckley?—It was about that time.

3580. And this valuation, although revised by the assessment committee, is still in use?—It is still in use, but it is revised from time to time.

3581. I will ask you whether you are not aware that there has been a sale of property recently at Hinckley, belonging to certain priests who are resident in an establishment called the Priory, at Hinckley?—I was at the sale myself.

3582. I think you had one of the catalogues? —Yes; it was in June 1869.

3583. Are you cognisant of the property of

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which part was sold under that catalogue?—Yes, I know nearly every lot there.

3584. Have you referred to the valuation list, and can you state the property to the Committee, and then point out the parts that were sold; and first, will you state the property belonging to those priests?—Yes, I will do so.

3585. *Chairman.*] Were you present at the sale?—Yes.

3586. And you know the property?—Yes; I know the property.

3587. Mr. *Matthews.*] Have you seen the title-deeds?—Two lots of title-deeds I have.

3588. Where are those deeds; in whose possession?—Two lots of deeds have been in my possession as trustee of the benefit building society, who advanced part of the money.

3589. Mr. *Newdegate.*] Will you read from the valuation list the description of this property, giving the name of the reputed owner, and the aggregate extent of it?—The particulars from the rate-book refer only to that property which is still in their possession; the property which has been sold I have not mentioned, but I can explain anything from that sale paper.

3590. What name appears in the valuation list as the reputed owner of the property which you ascribe of your own knowledge to the inhabitants of the Priory?—The Reverend F. O'Brien is the owner.

3591. He is a priest, is he not?—Yes, he is a priest.

3592. And a resident in the Priory?—Yes, he is a resident in the Priory.

3593. What is the extent of that property?—The first lot which appears in the rate-book is of the extent of 18 acres, situated in Hinckley. Then there is a house and a garden belonging to the Priory; the Priory itself, and a school-room and a garden, of all of which properties the owner appears as the Rev. F. O'Brien, and also he is put down as occupier; and then there are 11 or 12 cottages almost adjoining the Priory occupied by different individuals, but the Rev. F. O'Brien is the reputed owner of each of those properties. There is also a farm in the parish of Hinckley, containing about 133 acres, which I know very well myself.

3594. As you assisted in making that list, what is the value of that property?—The rental of the farm, I believe, is about 26 *s.* per acre. I knew the late tenant very well.

3595. What is the gross value entered in that list?—£. 297 15 *s.* is the gross value of the Hinckley property still in their possession.

3596. *Chairman.*] Is that the gross estimated rental?—Yes, the gross estimated rental.

3597. Mr. *Newdegate.*] Then there is a property in Burbage, the adjoining parish, is there not?—Yes; there is a property in Burbage, at present in the occupation of John Bates; and the Rev. Nickolds appears as the owner.

3598. Is that the whole of the property of which you have an account?—No; this is only one portion of the property in Burbage; there is other property in Burbage besides that.

3599. Which you have not here?—Yes, I have; there is a farm occupied by Thomas Record, and the same owner appears, the Rev. Nickolds, which farm is 82 acres in extent. There is a farm also in Burbage, now and for some time past occupied by Mr. Edward James, but it has just been sold to Sir John Hartopp; that is 84 acres. I know the property myself, and have been over it.

3600. That was sold by private contract, was it not?—Yes, very recently.

3601. Mr. *O'Reilly.*] Do you know whom it was sold by?—I believe it is sold by the same parties who were the vendors in the other case.

3602. Mr. *Newdegate.*] Is there any other property that you have to mention?—I have given you the property in Hinckley, and the gross estimated rental of the Burbage property remaining unsold is 180 *l.* 3 *s.* 6 d.

3603. Mr. *Matthews.*] Is the copy of the valuation list which you hold in your hand, made by yourself?—Yes; it was made on my own counter from the rate-book.

3604. Mr. *Newdegate.*] Is there any other property to which this catalogue of sale does not refer?—Yes, the other property in Hinckley, which I have mentioned, is not included in that.

3605. Have you stated all the property except this, which was the subject of sale under this auction?—Yes, I believe I have.

3606. And the property sold to Sir John Hartopp?—Yes, I believe I have.

3607. Will you take that advertisement in your hand (*handing advertisement to the Witness*); that is an advertisement of the sale; when did that sale take place?—It took place on the day mentioned here, on the 15th of June 1869.

3608. And you were present at that sale?—I was present.

3609. And you are well acquainted with some of the purchasers?—Yes; I know them all.

3610. And they all understood, and you understood, that it was a sale of what was called commonly in that district the Priory land?—Belonging to the priests; that is what we understood; and one of the priests was present.

3611. Do you know who was present?—I believe it was Mr. Nickolds, of Leicester.

3612. You saw him, and you believe him to have been Mr. Nickolds?—Yes.

3613. With respect to this Priory, I believe Mr. O'Brien is the only resident priest at present?—At present he is.

3614. But formerly, you have known 20 other inmates of that Priory, have you not?—There were that number.

3615. Were they principally young men there for education?—Yes.

3616. Do you know what kind of education?—No, I do not.

3617. Does it so happen that some of the title-deeds of this property have come into your possession?—It does, as trustee of the benefit building society who lent a part of the purchase-money on mortgage.

3618. Can you state the name of the vendors that appear in those deeds?—In the case of the first lot, of which the purchaser was Alcock, the names of the vendors are the Rev. James Aylward, of Newcastle, formerly of Hinckley; W. Nickolds, of Leicester; J. Maltus, of Stone, formerly of Hinckley; and Edward Williams, formerly of Stone, but now of Newcastle. Those names appear as vendors on the deed.

3619. And all those were priests?—I believe so; I know Mr. Maltus, and I know Mr. Aylward; they were in Hinckley. I know them perfectly well.

3620. Mr. *Pemberton.*] Are they all described in the deed as reverend?—Reverend and clerk.

If

it is necessary, I have one of the deeds with

3621. Mr. *Newdegate.*] Will you be kind ough to read the names of the vendors in that ?—"Between the Rev. James Aylward, merly of Hinckley, in the county of Leicester, now of Newcastle-upon-Tyne, in the county Northumberland, clerk; the Rev. Francis nt, also formerly of Hinckley aforesaid, but w of Stoke-upon-Trent, in the county of Staf- l, clerk; the Rev. William Nickolds, of Lei- r, in the said county of Leicester; and the . Edward Williams, formerly of Stone, in the county of Stafford, but now of Newcastle- n-Tyne aforesaid, clerk." They are the four rties mentioned in the deeds of lot 3 in the talogue.

3622. Mr. *Sherlock.*] What is the property nveyed by that deed; what is the amount in reage?—The purchase-money was 872 *l.* 16 *s.*, clusive of timber; the purchaser at the sale as Thomas Ginns, but it was afterwards sold to r. Francis Drake.

3623. Mr. *Pease.*] Are those parties described trustees for anybody?—I have not read beyond at.

3624. Mr. *Sherlock.*] Did your society advance oney on mortgage for the purpose of building on this land?—Not for building or otherwise; e have advanced the money, and that is the ason we have the deed.

3625. Mr. *Newdegate.*] Will you be kind ough to state the names of the vendors in the ther deed?—That is the deed referring to the roperty brought by Ginns. I have handed in ne names of the vendors in Alcock's case; these e the only two lots I have; the Rev. James ylward, the Rev. W. Nickolds, the Rev. J. Maltus, and the Rev. Edward Williams; and here is one other name in this case, the Rev. Mr. Dent, which is different.

3626. Will you be kind enough to take into our hand a copy of the Roman Catholic Direc- ory for the year 1870, and see whether there is ot this paragraph in page 131, under the head of Convents. "Stone. The Immaculate Conception nd St. Dominic (3rd May 1854); Rev. James A. Maltus, F. W. D. Trenow, and Hyacinth Philip Arden; Sunday, Mass at 8, High Mass at 10½, Catechism at 3," and so on. I ask you whether he names in this paragraph are not the same names as those of the vendors in the sale to which your evidence refers?—I should believe them to be so.

3627. *Chairman.*] How did you come by those deeds?—I happen to be one of the trustees of the society, which has furnished part of the money for the purchase of the property.

3628. Whom did you furnish the money to?—To the person who bought the property.

3629. Mr. *Pemberton.*] I suppose they deposited those deeds with your society when they borrowed the money?—Yes.

3630. Mr. *Newdegate.*] I wish to call your attention to a paragraph at page 101 in the Roman Catholic Directory for 1864, and I wish to know whether this paragraph refers to any of the persons connected with this institution and with the sale. "Hinckley; St. Peter's Priory (1824); Very Reverend F. R. Dom. Trenow, vicar; Reverends F. F. Francis O'Brien and Piers Cavanagh, O.S.D." Do those names correspond with the names that you have now connected with this property?—I believe it does refer to some of the persons mentioned in the deeds.

3631. Mr. O'Brien is at present resident in the Priory?—He is.

3632. Do you remember Mr. Trenow?—I do.

3633. As a resident in the Priory?—Yes, I do.

3634. From your knowledge, do you understand that those parties were virtually joint owners of this property?—I believe it is so.

3635. At all events, the names appear as vendors of part of this property?—Yes, I believe it to be so.

3636. Mr. *Pemberton.*] You say that you were present at the sale; was it stated at the time of the sale who the vendors were?—I presume the conditions would be read, and the names would be the same in the conditions.

3637. You have not got the conditions with you?—No, I have not the conditions with me.

3638. Do you remember any of the conditions?—I do not know that I remember them, but I believe the same names were read over as the vendors as occur in the deed.

3639. Do you remember whether it was stated in the conditions of sale that the vendors were trustees?—I do not remember that; I had no object in attending the sale in particular.

3640. Mr. *Newdegate.*] Can you supply the conditions of sale?—Probably, I could.

3641. Will you do so if you can?—I will.

3642. Mr. *Pemberton.*] You are not lawyer enough to know whether the covenants in that deed were trustees' covenants or ordinary covenants?—No, I am not a lawyer at all.

3643. Mr. *O'Reilly.*] Do you know whether or not certain names which you have read out of the Catholic Directory belong to the same persons as certain names which you have read out of that deed?—I believe them to be so.

3644. I must repeat my question. Do you know it of your own knowledge?—I knew Mr. Maltus, I knew Mr. Trenow, and I knew Mr. Aylward, and I believe them to be the same persons as are mentioned in the deed; I cannot say more than that.

3645. Do you know of your own knowledge that those persons to whom those names in the Catholic Directory refer, are the same persons whose names appear in the deed?—I believe them to be the same persons; I cannot say beyond that.

3646. Do you of your own knowledge know it or not?—I believe them to be so, but beyond that I cannot say.

3647. Will you give me the ground of your belief?—I believe them to be so; they were resident in Hinckley, and they are mentioned in the deeds as being formerly of Hinckley; and they were living in Hinckley, I know.

3648. How do you know that the persons whose names you have read out of the Catholic Directory are the same persons whom you knew?—I can only say what I have said before, that I have seen several of them living in Hinckley.

3649. Several of whom?—Of the vendors in that deed; for instance, Mr. Aylward.

3650. How do you know that the several persons named in the Catholic Directory were resi-

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dent there or not?—Mr. Aylward, I knew him, and he was resident in Hinckley.

3651. You know that he is the person whose name appears in the Directory?—I believe him to be so; I have not seen the Catholic Directory before; I am not at all conversant with it.

3652. Mr. *Pemberton.*] Do the Christian names and the surnames correspond?—Yes, they do correspond.

3653. Mr. *O'Reilly.*] Do the Christian names and the surnames of those two sets of names correspond or not?—Yes, I believe they do.

3654. And with regard to those gentlemen whose names you have given in as the vendors, the Rev. Mr. Aylward, the Rev. Mr. Nickolds, the Rev. Mr. Maltus, the Rev. Mr. Williams, and the Rev. Mr. Dent, who are described in that deed which you have read as Reverend, and clerks, do you know whether any of them are members of a monastic or conventual institution?—I believe them to be so.

3655. Will you give the grounds of your belief?—Mr. Maltus is at Stone, and that is, I understand, a convent.

3656. Mr. *Matthews.*] Have you ever been at Stone?—Yes, and Mr. Williams also was at Stone: I am not prepared to say beyond that.

3657. Do you know that the building where those gentlemen as you state, reside, is a convent or not?—It is reported to be so; I have not been in the interior.

3658. Have you any more reason, or can you assign any other reason than report, for believing it to be a convent?—The description, I believe, is given as a convent at Stone.

3659. What description?—It is described in Stone as a convent; I do not know beyond that; I have only seen the exterior of it, and I should judge it to be so from the appearance of the building.

3660. Do you know whether any other of the persons connected with this property as owners or vendors are members of a monastic institution?—No; not beyond the names I mentioned.

3661. Sir John Hartopp, for instance?—Sir John Hartopp is the purchaser of a part of the property.

3662. But it might have been purchased by a member of a monastic institution?—I know Sir John Hartopp.

3663. Do you know whether he is a member of a monastic institution?—He is not.

3664. Mr. *Pemberton.*] You perhaps know that he is a married gentleman?—I know he is a married gentleman.

3665. Mr. *O'Reilly.*] Is Mr. Ginns a member of a monastic or conventual institution?—No, he is not.

3666. With regard to those gentlemen whom you say you believe to be monks, have you any more certain knowledge that they are monks than that those other gentlemen are not monks?—May I ask whether it is understood that a monk performs the regular duty of a priest; if so, I should believe them all to be monks.

3667. Then am I right in conceiving that one of your reasons for believing them to be monks is that they perform the ordinary duties of a priest?—Yes; that is part of my reason.

3668. Mr. *Matthews.*] Have you ever examined the Catholic Directory before to-day?—No.

3669. It was shown you for the first time by the honourable Member for North Warwickshire?—Yes.

3670. You produce the deed in which the Reverend Francis Dent is the vendor?—Yes.

3671. And you are shown a page of the Catholic Directory which speaks of the Reverend Francis Aloysius Dent; what reason have you for saying that the Reverend Francis Dent and the Reverend Francis Aloysius Dent is the same person?—Their residence is the same; it is described here as Stoke-upon-Trent.

3672. Why is Francis Dent and Francis Aloysius Dent the same person?—I am not a lawyer to give a judgment upon that; I believe that they are the names of the same person.

3673. That is your reason for believing that the Reverend F. Dent and the Reverend F. Aloysius Dent are the same person?—Because he is described here in the deeds as of Stoke-upon-Trent; and he is there in the Directory as residing at that place.

3674. Is there no other Francis Dent at Stoke-upon-Trent?—Probably not; I do not think it probable that there would be two brothers named Francis.

3675. One is F. A.; how do you account for the difference in the name?—I cannot account for it.

3676. You think it is an accident?—I must leave that for you to decide.

3677. What made you assent to the honourable Member for North Warwickshire, that the Reverend F. A. Dent is the same as the Reverend Francis Dent?—Simply because he is described, as I have previously mentioned, both in the deeds and the Directory as being at Stoke-on-Trent, and I believe it is the same person.

3678. I see that the property that is sold to Mr. Ginns appears to have been bought by Messrs. Dent, Nickolds, Williams, and Aylward in 1863?—Yes.

3679. And sold again by them to Mr. Ginns in 1869?—Yes; I remember the purchase.

3680. Will you tell me when the other property was bought by the vendors, which will appear by the recital; I mean the second property that you mentioned, which was sold by Messrs. Aylward, Nickolds, Maltus, and Williams?—I have not got the deeds of the second property; but they are in my possession.

3681. Can you tell me when the gentlemen who sell the second property purchased it?—I am now referring to the property of Alcock, and I do not know when it was purchased by the priests.

3682. You do not know whether they held it as short a time as the other?—They held it for some years; I do not know the precise time.

3683. Does it appear from this deed which you have produced that the four gentlemen named were the absolute owners?—I am not a lawyer, and I cannot pretend to say; I only know that they are the vendors.

3684. Do you object to my reading so much of the deed as shows that they are the vendors?—No, I do not object.

3685. This deed recites, that whereas by an indenture of the 17th day of February 1854, Baker and others sold to Aylward, Morewood, Dent, Nickolds, and their heirs, and then that in 1863 the same premises were conveyed to Aylward, Dent, Nickolds, and Williams, and their heirs and assigns for ever, as joint tenants both

in equity and in law. Those four gentlemen absolutely to Mr. Ginns, do they not?—They believe.

3686. Where in your valuation list does that perty appear which was sold to Mr. Ginns?—ve not put it down.

3687. Where does it appear in that copy of the -book?—It does not appear at all, because are different owners and different occupiers

3688. Is that part of the same property, the ainder of which is now in the rate-book?—, certainly.

3689. It appears by the rate-book that the Rev. ncis O'Brien is the owner of the whole?—Is reputed owner.

3690. Was he also the reputed owner of those r lots which you know were sold, one to a Mr. ns, and the other to Mr. Alcock?—I believe name appeared in every case.

3691. Did his name appear as the reputed er also of the lots which have been sold, and hich you have the deed?—I believe so.

3692. Did you yourself make out and fill up columns in the rate-book, containing the es of the owners and occupiers when the iation was made?—I did not fill them up; have a rate collector who does that.

3693. It was filled up by your rate collector? es; and who is also the assistant overseer.

3694. Have you any knowledge from whom rate collector or the assistant overseer got information which he inserted in this column wners and occupiers?—He goes at once to parties interested in the property, and gets names.

3695. Have you any knowledge in this partiar case where he got it?—No; excepting ng to the persons themselves; I do not know t he did, but it is necessary to have the proper ne in the rate-book.

3696. But it happens in this case that it is the ong name in the rate-book?—No.

3697. Have you not told us that the name ntioned in the rate-book is the Rev. F. Brien?—Yes.

3698. Does it appear in the recital of the deed t the names are the Rev. Messrs. Aylward, nt, Nickolds, and Williams?—It appears to ve been the custom that the priest in residence the time being, is put down as the owner in rate-book.

3699. Although he was not the owner?—Alough he might not be the owner.

3700. Then in one case that you have given us materials for accurate knowledge of, the Rev. O'Brien was not the owner?—I say his name in the rate-book, but he does not appear as the ndor.

3701. But it appears that some other persons re the owners and vendors?—Yes.

3702. You have talked about the Priory, but u yourself in the rate-book have described the iory as "school and offices"?—There are two tinct lots; there is the Priory, and there is ool and offices. It is the assistant overseer's ce to get the proper names and the proper scriptions of the property.

3703. It is described as "school and offices"? Yes; part of it is.

3704. Is there a school and offices attached to ?—There is a "school and offices" to which I ve before referred, which is returned as void, 0.92.

but there is a small school not immediately adjoining the Priory.

3705. Is that the school in which the 21 inmates were formerly taught?—Probably a part of it; there are plenty of rooms in the Priory, and the school and offices are connected with it.

3706. Mr. *Newdegate.*] Are you not now churchwarden of Hinckley?—Yes; and I have been so for three years.

3707. Is it not part of your duty to sign the rate-book?—I believe I have signed nearly every rate that has been granted for the last three years.

3708. Do you take the usual precautions for the accuracy of that rate-book?—It is left with the overseer, and any ratepayer may look through it.

3709. Do you believe that it is generally accurate, and according to the usual form?—I believe it to be so, for this reason, that it is necessary to have the names properly inserted as the occupiers, because if the rate is to be recovered by law you must show that they are the right parties in the book.

3710. *Chairman.*] I suppose the valuation lists are submitted to the assessment committee?—Yes.

3711. And they are always placed in some public place where they can be inspected?—Yes, at any reasonable time.

3712. The overseer is the public officer appointed to prepare the lists, is he not?—Yes; and subject to the authority of the Poor Law Board.

3713. And he is responsible for the valuation list when he submits it to the assessment committee?—He is.

3714. Mr. *Newdegate.*] In short, as churchwarden, you have signed those lists on the usual assurance of their accuracy?—Yes, I have.

3715. Mr. *Sherlock.*] As I understand, you became acquainted with the particulars of this property, as being trustee for a society that advanced money to the purchaser?—Not at first. I have known the property for years. I have lived in Hinckley all my life, and have known the property all my life.

3716. And have you known the nature of the tenure all your life?—No, I cannot say that.

3717. Was it not with reference to the nature of the tenure that you became acquainted with it in your character as trustee for this building society?—No, I say this; that those properties have always been understood to be belonging to the priests for some years, and when the property was sold the deeds came into my hands. I knew the property before, and it was supposed to be the priests'; years before that sale, it was known as the priests' property.

3718. Have you got the title-deeds of this property in your possession?—Of the two lots that were sold out of the eight lots, not beyond those.

3719. Mr. *Pemberton.*] Have you any of the earlier title-deeds?—I have the earlier title-deeds referring to that property.

3720. Mr. *Sherlock.*] Have you the earlier title deeds of the property upon which you advanced the money?—Yes; these are out of the bundle of deeds.

3721. Have you got all the title-deeds deposited with you of the properties upon which you advanced money?—Yes.

3722. It is the custom of your society, is it not, not to advance money without getting a deposit

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of the title-deeds, and a mortgage as well?—Yes, we expect to have a mortgage security.

3723. Have you not got, with reference to the particular property on which you advanced money, all the title deeds of that property?—Yes, I suppose we have them all.

3724. The rule, of course, of your society is, as far as possible, to insist upon having the title-deeds lodged with you, and a mortgage executed to secure you the amount which your society has advanced?—Yes, certainly.

3725. In that way can you tell us, not from hearsay or otherwise, but from actual knowledge, anything of the tenure of any of this property antecedent to what is stated in this deed?—No, I do not know that I can.

3726. Mr. *Pemberton.*] Have you any of the earlier title-deeds with you?—No, I have not.

3727. Mr. *Sherlock.*] Do you know anythin yourself of the nature of the tenure of th property?– It is rather a legal question, and am not a lawyer; I do not understand the leg part of the business at all.

3728. As you have been living at Hinckle for some years, you know that there were pries living there, and you believe that they were th proper parties who were owners of this property —I do.

3729. But anything as to the legal mod in which they have held their property, yo know nothing about it, not being a lawyer?— do not.

3730. *Chairman.*] You are satisfied with th title yourself, and you took it as a security?— Yes; our solicitor passed it as being good; an we were satisfied as trustees.

Thursday, 21*st July* 1870.

MEMBERS PRESENT:

Mr. Bourke.
Mr. G. Gregory.
Mr. Newdegate.
Sir John Ogilvy.
Mr. O'Reilly.
Mr. Pemberton.
Mr. Sherlock.
Mr. John Gilbert Talbot.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. WILLIAM FORD, called in; and Examined.

Mr. *W. Ford.*

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3731. *Chairman.*] I BELIEVE you attend here to-day on behalf of some religious institutions; I do not know whether they can be called of a conventual character, but they are religious in their character, and are supposed to be somewhat resembling the convents or monasteries which are the more immediate subject of our inquiry?—Yes; I am the Solicitor of All Saints' Home, No. 82, Margaret-street, Cavendish-square.

3732. Do you represent any other institution?—I do not now. I was for 20 years the Honorary Solicitor for the Clewer House of Mercy, near Windsor; I wish to say that I am the Honorary Solicitor to the All Saints' Home. I do not receive any remuneration whatever for my services.

3733. Will you inform us what is the object and purpose of this institution?—I think I may say that we are most ready to give every information that is desired to be received by this Committee, or by any member of the Committee. There is nothing to conceal, and any attempt to disguise anything, or to conceal anything, would leave an impression that there was something to conceal; and we desire to speak, in a plain and open way, everything that we know, and I am sent here for that purpose. The object of the institution is "the reception and maintenance of incurables, and aged and infirm persons in destitute circumstances, and orphans; the visiting and nursing of the poor and sick, and the relief of their spiritual and temporal wants; the burial of the dead, and the exercise of other works of mercy; and the said society shall consist of a superior and sisters, and shall be assisted by trustees, an auditor, and a chaplain, and such other officers as the superior and sisters shall hereafter think fit to appoint."

3734. Do we rightly understand you that these people live together in community?—Yes. You will understand that I am not able to speak very well of what happens inside the house; but as far as I know, they live together in community.

3735. In the first place, I suppose it is one building?—There were two or three houses thrown into one; it is practically one building, and under the care of one superior.

3736. It is an institution for women entirely, is it not?—For women entirely.

3737. There is a superior, and how many sisters?—I do not know how many sisters there are.

3738. You do not know whether they are limited in number?—They are not limited in number by the statutes, a copy of which I hold in my hand.

3739. They have rules for the management of the society?—Yes, there are statutes, of which I have a copy in my hand, and the original of which is in the room.

3740. And are these statutes sanctioned by any ecclesiastical authority?—Yes, by the present Archbishop of Canterbury, who was constituted by one of their rules their visitor; he was Bishop of London at the time. The second rule says, that the Right Honourable and Right Reverend Father in God, Archibald Campbell, Lord Bishop of London, is the first visitor.

3741. Has he sanctioned the rules under which they live, or did he give them to the society?—I was not the solicitor at the foundation of the society. Mr. Buller, of Lincoln's Inn Fields, was the solicitor who acted for the home at that time, and it is only since he left England that I have come into that office, and I have really never had occasion to go into that matter very much; but I think it very likely that I shall find in the statutes his Lordship's signature (*the Witness examined the Statutes*). I do not find it, but I have a strong belief that the present Archbishop of Canterbury, when he was Bishop of London, did approve, and does still approve, of the sisterhood.

3742. It is essential to the constitution of that society that they should have the sanction of a bishop, or of some high dignitary of the Church?—I am not quite prepared to say that. The sisterhood have the power of electing their own visitor, and that visitor has the power of taking action of his own motion, as well as at the instance of any person who may feel himself to be aggrieved; and the present Archbishop of Canterbury was appointed visitor.

3743. Mr. *Pemberton.*] Was he appointed for life, or as bishop for the time being?—I have not got the appointment here. I did not exactly know the point to which my attention was to be directed, but I will answer that question another day, if the Committee give me the opportunity.

3744. *Chairman.*] Do we rightly understand that

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that these rules, or rather, in fact, the constitution of the society, are written?—Yes, by deed, under hand and seal.

3745. Is there any printed copy of it that you could put in?—I have no printed copy of it, but I should be very glad to send you a copy. It is written under hand and seal, signed by Mr. Upton Richards, the first chaplain, and many gentlemen whose names are well known.

3746. But this community when once established, having appointed a visitor, are subject to his authority?—Yes, undoubtedly.

3747. He visits the community, and I suppose ascertains whether it adheres to the rules that he has drawn up or sanctioned?—He has the power not only to come in when invited, but to come in upon his own motion, and one of the regulations is express upon that subject.

3748. I presume that he could dissolve the community?—No, I should not think that he could dissolve the community; he could oblige them to fulfil their obligations according to the statutes, but I think that he could not dissolve the community. I do not suppose that a visitor has any power to dissolve a community unless it breaks its regulations; nor has he that power then, but he may correct anything that is amiss.

3749. It is a strictly religious community, and subject to the authority of the Bishop of London or Archbishop of Canterbury?—Subject to statutes which the visitor must obey as well as anybody else.

3750. What liberty have they under their statutes; do they bind themselves in any way, or are they under any obligations as to their mode of life?—"The superior shall be a fully admitted sister, and shall be appointed in manner hereinafter mentioned, and shall have the government of the sisters, any other inmates of the said house, and of the household thereof." There is one rule which I think it would be material that I should read to the Committee, namely, the 12th, "Every sister shall have free and uncontrolled liberty whenever she shall think fit to leave the house and society; but it is expected that no one will leave the sisterhood without giving a month's notice, during which, if thought necessary, the matter may be referred to the visitor."

3751. Then, do they enter into any arrangement or obligation to submit to the decision of the visitor upon such matters?—"Every sister shall, in addition to probation, agree to be bound by and observe all the statutes and rules of the said society applicable to herself, and such probationers shall not in any manner interfere or prefer complaints to the chaplain or to the visitor respecting the conduct of the house, or the members thereof." And by the 14th rule, "The superior may, with the consent of the majority of the sisters and of the chaplain, make and vary such rules for the internal management and discipline of the sisters as shall be consistent with the statutes of the society, and be approved of by the visitor, and such rules shall be accessible to all members of the society."

3752. Is there any deed or contract that they sign upon entering the house?—That I cannot tell; that is a matter of internal regulation which would not come under my notice as solicitor; I believe that there is not. I believe that this rule which I have read to you, saying that they shall have free and uncontrolled liberty to leave whenever they think proper, is the genuine expression of their regulations, and the mode in which they live.

3753. But they enter into certain mutual obligations upon becoming members of the community?—I suppose that they enter into an obligation, that they will observe the rules for the time being, otherwise there could be no order in the house.

3754. How is this house maintained; does each sister bring in a dowry or a sum of money?—That I really cannot tell you; I can only tell you that all their corporate fund consists of 7,000 *l.* stock. I suppose that each sister does pay something, according to her means.

3755. You speak of a common fund, to your knowledge, of 7,000 *l.*?—There is 7,000 *l.* stock. I made that inquiry, because I thought that I might have that question put to me, and Miss Harriet Brownlow Byron, the Superior, writes to me on the 16th of this month, "The houses in Margaret-street and about 7,000 *l.* stock is all we have, and that is invested in the names of the four trustees."

3756. You were not solicitor to the house when it was first established?—No, Mr. John Edward Buller, who has left this country, was their first solicitor, and I have been solicitor to it for seven, eight, or ten years, or some such time as that; but I have really had so little to do for them that I have never had occasion to master the subject.

3757. Do you know anything of the circumstances of its foundation?—Only this, that Miss Brownlow Byron bought the houses and conveyed them to the trustees for the benefit of the institution.

3758. Is she the person in whose name this house purports to stand as the owner?—It is assigned to Mr. Walter Carew Cocks, Mr. Philip Charles Hardwicke, Mr. Benjamin Lancaster, and Mr. John Edward Buller; that is to say, it is assigned from Miss Byron to certain trustees for the benefit of this home.

3759. Is she the only person interested?—She is the only person interested, and in the statutes it is determined that if this house and home is dissolved during her lifetime the house is to return to her because it was her gift, and that if after her death it is dissolved then it is to be disposed of to such religious objects as the trustees for the time being may think proper.

3760. Mr. *Pemberton.*] Is that declared by the deed?—By the statutes.

3761. Do the statutes refer to that particular deed?—That deed refers to the statutes rather.

3762. Mr. *Sherlock.*] What is the date of the statutes?—The 18th of January 1859.

3763. They were cotemporaneous with this deed?—Yes, and those houses are conveyed to the trustees upon the trusts in connection with these statutes.

3764. *Chairman.*] This deed only refers to the houses, I think?—That deed refers to the houses.

3765. Does the stock, of which you have spoken, stand in the names of trustees for the use of the house?—Yes.

3766. Can you give us an account of any other property that they hold in common?—I believe that they have no other property that they hold in common.

3767. Would you know it if they had?—No, except in this way, that last week, thinking that very likely I might be asked the question to-day, I wrote

rote to the superior to ask what property they . and she has given me the answer which I e read to you.

768. They have not precluded themselves by r statutes or regulations from taking property trustees?—No; they may receive property heir own names or in the names of trustees; n the sisters go away or die they or their resentatives shall not be considered to have right to a share of the property of the com- nity.

769. Though they may contribute some, they not to take any away?—It is not put so in ress words, but that is the legitimate infer- e, I think.

770. They have bound themselves so to act? es.

771. Mr. *Pemberton.*] But those statutes do provide that they shall pay anything at all, do y?—No, nor that they shall give anything at

772. Therefore, while agreeing that they will take anything away, it does not necessarily low from that that they should have lost any- ng?—No. The 22nd rule is this: "If the nt of funds, or any other cause, render it ex- dient to do so, the superior and sisters, or a jority of two-thirds of their number, including ers and probationers, shall have power to dis- ve the society, and, in such cases, the houses l property of the said society in Margaret- eet, Cavendish-square, shall be re-conveyed and vested in the said Harriet Brownlow ron, her executors, administrators and assigns, the dissolution shall take place in her lifetime, t if the same shall take place after her decease; n the superior and sisters for the time being all have power on such dissolution to order the e and conversion of the whole of the property d effects thereof, both real and personal, into ney, and the clear moneys produced thereby, er paying all expenses attending such sale and nversion, and all debts owing from or on ac- unt of the society, shall be disposed of for such aritable purposes in connection with the Church England, and in such manner, and, if thought , in such shares or proportions as the trustees all determine at a meeting specially called for at purpose, and which shall be held not less an three or more than six calendar months ter the sale shall have been completed.

3773. *Chairman.*] Is there anything in the atutes with reference to the personal estate?—he 17th rule says, "All the real estates and nattels real, houses, leasehold or copyhold estates, nd all moneys invested in the public stocks or nds, and all household furniture, books, linen, ina, and other furniture and personal effects spectively belonging to the society, shall be spectively conveyed and assigned unto and in- sted in the names of the trustees for the time eing of the society, and be held by them upon ust for the benefit thereof."

3774. The dissolution of the society could not ke place without the sanction of the visitor, uld it?—As I read it, the sisters could do it emselves. "The superior and sisters, or a ajority of two-thirds of their number," can, ithout the consent of the visitor, dissolve; it es not say, "without the consent," but that ould be implied.

3775. Do you know where this 7,000 *l.*, of hich you have spoken, was derived from?—I do ot; but I could find that out for you, and I shall be most happy to ascertain and communicate it to you by letter or in person.

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3776. Is there much expense in the maintenance of this house and connected with this institution?—I never see those accounts, and I have never had occasion to be consulted. Their legal transactions are done for nothing, and I think that people are very good to them, and they supply them with money as they want it; and they send round, I have heard, for broken victuals in the morning for persons who live in their house.

3777. Do they solicit contributions?—I expect they do, but that is not within my personal knowledge; at all events, they receive them. I was instrumental in receiving for them some time ago, under Lord Henry Seymour's will, a sum of 400 *l.*; he left a large sum of money to be divided between the hospices of Paris and London, and under that bequest they received 400 *l.*, and they are to receive a further sum.

3778. Was that under a peculiar construction of that word "hospices"?—Yes, it was decided that the word "hospice" did not mean a hospital in the sense in which we English use it; but that it meant a place for the sick and incurable and infirm.

3779. Are we to understand you that this institution receives the sick?—Yes.

3780. Have they arrangements for that purpose; have they wards specially for the sick?—Yes.

3781. Mr. *Sherlock.*] That appears to be the object of the institution?—Yes; perhaps you will allow me to read the first rule again: "The object of the said society, called the Sisters of the Poor, is the reception and maintenance of incurables, and aged and infirm persons in destitute circumstances, and orphans"; and it is within my personal knowledge that they have a ward for them, because a servant of mine, or a sister of a servant of mine, has been there and was most kindly treated.

3782. *Chairman.*] That seems to point to their having either an independent fortune of their own or subscriptions?—I expect that they have sub scriptions.

3783. Do you know the number of the sick that they have in their wards?—No; but I could ascertain that and let you know.

3784. Have they a school, or has the institution any connection with education?—The teaching of children is not mentioned in the rules; but I have a strong impression that they do teach children. I should not like to say that positively till I have made inquiry.

3785. Are they engaged in religious teaching and the spread of religious works; do they circulate tracts as some societies do?—I cannot tell.

3786. Do we rightly understand you that they are exclusively connected with the Church of England?—Undoubtedly.

3787. Who is this chaplain that belongs to them; is he paid by the society?—I do not think he is paid at all; he is Mr. Upton Richards, who is the vicar of All Saints', Margaret-street, Cavendish-square.

3788. What exactly are his duties in connection with this house?—He is the chaplain; I suppose he conducts their services and visits their sick, and performs the duties that a chaplain to an institution of this kind may be expected to perform.

3789. Does he perform the church service within

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within the house?—I suppose that it is done through him or his curates, but that I do not know of my own knowledge.

3790. You do not know whether there are any arrangements for the church service in the building?—There is a little chapel, I have heard, but I have never seen it.

3791. And is the service in it conducted according to the forms of the Church of England?—I have no doubt that it is so, because they are indissolubly tied to the Church of England by their statutes; I have no manner of doubt of it.

3792. Was this the first superior that you have referred to?—Yes.

3793. Did you mention the year when the institution was established?—In 1859.

3794. Have they any communication with other religious persuasions?—That I cannot tell, but I should think not. If you mean with the Church of Rome, undoubtedly not.

3795. You would be the person to advise them if there was any bequest or grant of land to their institution, would you not?—They could not receive a bequest of land. They could receive a grant in the names of trustees, if the donor of the land lived a year after he executed the deed.

3796. Why do you say that they could not receive a bequest of land?—Because it would be contrary to the Statute of Mortmain. It is not a corporation; they could not receive it direct, I mean.

3797. Mr. *Pemberton.*] It is subject to the ordinary law of Mortmain?—Yes.

3798. *Chairman.*] You mean that they can receive land by means of trustees?—Certainly; for they have two houses now; they are leasehold, no doubt, but they might be freehold.

3799. They can receive land by the intervention of trustees?—Certainly, if the donor or conveyer of that land lives for one year after the date of the conveyance, and if it is enrolled in Chancery under the 9th George the Second, which enables them to receive a gift of land.

3800. Mr. *Pemberton.*] The Act does not enable anybody to receive, I think; it only makes certain gifts void?—Yes.

3801. *Chairman.*] If there was land conveyed to A. B. to hold in trust for this community it would be legal?—If the person who conveyed it lived for one year after the date of the conveyance, and if the conveyance was enrolled in Chancery.

3802. Mr. *Bourke.*] They must comply with the Statutes of Mortmain, in short?—They must comply with the Statutes of Mortmain; they are like any other charitable institution in that respect.

3803. *Chairman.*] Has this institution any charter?—No, they are not a corporation; they have no charter.

3804. You are not aware of their having received any property since you have been connected with them?—Yes; there was that grant of 400 *l.* from Lord Henry Seymour, and there is something like 50 *l.* or 100 *l.* more which will fall to their share, which I hoped to receive before the long vacatian, but which I shall not receive probably before Christmas.

3805. But you have not heard of any investment in land lately by this community?—I am certain there has been no investment. That could not have been done without my knowledge, and I am certain that it has not taken place.

3806. Mr. *Newdegate.*] Has this trust to which you refer as being the operative document under which this property is held by the community been enrolled?—No, it did not require enrolment.

3807. Has it, or has it not, been enrolled?—To the best of my knowledge it has not.

3808. Mr. *Pemberton.*] They would not enrol it, would they?—I suppose they would not enrol it.

3809. Mr. *Sherlock.*] Look at this memorandum at the foot of the lease (*handing a document to the Witness*)?—This deed has been enrolled, but the statutes would not require enrolling.

3810. Mr. *Newdegate.*] Is that the lease that has been enrolled?—It is the assignment of the lease that has been enrolled.

3811. And that is the subject-matter of the trust?—That is one of the subject-matters of the trust.

3812. Mr. *Bourke.*] Is it enrolled under the Statute of Mortmain?—"Enrolled in Her Majesty's High Court of Chancery the 8th of February 1859, being first duly stamped according to the tenor of the Statutes made for that purpose." This was before I was solicitor; so that I really was not acquainted with the operation.

3813. Mr. *Newdegate.*] You find that the lease, which is the subject-matter of this trust, has been enrolled?—No, that is not quite it; the lease was granted to Miss Byron; the assignment of it to trustees for the benefit of this institution has been enrolled.

3814. This is an institution held in certain premises?—Yes.

3815. Those premises are under lease?—Yes, they are held on lease.

3816. And that lease empowering the occupier to hold is enrolled?—No, it is not.

3817. Then what is enrolled?—The assignment of that lease to the trustees of this institution is enrolled.

3818. Then the trustees are enrolled, if not the trust?—You cannot say that the trustees are enrolled; that would be a misapplication of a legal term.

3819. Do the names of these trustees appear in the Rolls Court or in the Court of Chancery?—Yes.

3820. As holding this property?—Yes.

3821. Then you have spoken of certain rules; do those rules form items in a contract among the persons inhabiting this house in community?—I can hardly admit that supposition; as I understand it, these are rules laid down for the regulation of the house and the inmates of it, and any person who comes into that house agrees to be bound by those regulations as they then subsist, or as they are varied by competent authority.

3822. But is obedience to these rules matter of contract?—Yes, I have no doubt it is so; indeed, here is the form in which that contract is entered into: "We, the undersigned, do hereby severally agree to be bound by and observe all and every the statutes and rules of the Society of the Sisters of the Poor established by the foregoing deed, so far as the same are applicable to us respectively, God being our helper," and that is signed by every sister as she joins.

3823. That is almost in the nature of a vow, is it not?—I do not call that a vow.

3824. Mr.

3824. Mr. *Pemberton.*] There is no form of
h in the statutes, is there?—No.
3825. Mr. *Newdegate.*] The effect of it is, that
e are certain rules binding upon these persons
contract, and that contract is attested by them
th the words usually used to impress upon a
or the idea that he is taking an oath?—If you
me my opinion, I do not agree in that view
it.
3826. I ask you what you understand by the
ds that you have read?—I understand that
persons who join the institution agree to be
und by the rules of the deed of settlement,
t as much as the shareholders in a joint stock
npany agree to be bound by the terms of their
d of settlement; it is done in rather a more
mal way; it is a religious society and they use
pressions which are not used in a deed of
tlement in the City of London, but the effect
it is precisely the same in my estimation,
aking as a lawyer.
3827. Then in the first place the legal power
the rules is the power of an engagement by
ntract?—Yes.
3828. And obedience to or compliance with
at contract seems to be enforced in that docu-
nt by the use of religious expressions, equiva-
nt to the terms in which an oath is usually
ken; is not that the substance of what you
ve read to the Committee?—I do not attach
at opinion to it myself; I do not know whether
is important that I should have an opinion
on it, but I certainly do not agree in that
ew.
3829. But whatever may be your opinion,
ose words which you have read are to be found
the document before you?—Yes, certainly.
3830. Then you have said that there is 7,000*l.*
stock which you described as common stock?
I do not think that I used that expression, but
is stock vested in the names of the trustees,
d held upon trust for the purposes of these
tutes.
3831. That is to say for the purposes of the
mmunity?—Yes, for the sustentation of them,
d to be applied in any way in which the sisters
y think proper to ordain.
3832. Consistently with the statutes?—Yes,
course; "The trustees shall pay the rents,
vidends and other animal produce, and all other
nies received from time to time by them,
ether capital or annual income, into the hands
the bankers for the time being of the society
the account and credit of the said society, and
ch payment shall be a sufficient discharge to
e trustees for the monies so paid to them; and
e superior shall have power to draw out monies
om the bankers for the use of the society as
ay be required."
3833. Is that an extract from the statutes or
om the rules?—From the statutes which are
e rules.
3834. Then, when you speak of the rules, you
ean the statutes?—I do.
3835. Now, with reference to these statutes,
e they obligatory upon the visitor?—Yes.
3836. Then the visitor has no power outside
e statutes?—None whatever.
3837. Mr. *Bourke.*] As visitor you mean?—
s visitor.
3838. Mr. *Newdegate.*] Have you afforded any
roof to the Committee that the Archbishop of
anterbury has approved of these statutes?—
o, I have not afforded any proof of that. I do
not find it stated in the document; but I was asked what my belief was, and I say that I believe that the Archbishop of Canterbury did, when he was Bishop of London, approve them in 1859; but I will ascertain that point specifically if you desire it by the next time that I come here, if the Committee wish me to give evidence again.

3839. If there exists documentary evidence, or any evidence that shows the distinct approval of the present Archbishop of Canterbury of these statutes, you will furnish it to this Committee?—Certainly I will.

3840. Then you say that this institution is connected exclusively with the Church of England?—Yes.

3841. What are the terms in the statutes which present that exclusive connection?—"In the name of the Holy and Undivided Trinity"; the statutes begin, "The following statutes have been agreed on and adopted for the due order and government of the house of the Sisters of the Poor, which has been established for the purposes hereinafter set forth; and those statutes have been adopted with the desire and intent that through the blessing of God the principles on which the said house has been founded may be always preserved unchanged and inviolate, and that it may be conducted and carried on in accordance with the true Christian faith, as it is set forth in the doctrine and discipline of the Church of England, to the glory of Almighty God and the eternal salvation of souls, for whom Christ died; therefore, these presents witness, and it is hereby agreed and declared as follows, that is to say"; then the statutes follow in order.

3842. Then this peculiar discipline which is enforced by contract upon the inmates of this institution is by that deed annexed, as it might be, to the discipline of the Church of England?—Undoubtedly; it is indissolubly connected with the Church of England, tied to the Church of England. That is the cardinal point which regulates the whole.

3843. Quoad the power of those who originated this community and this trust?—Those who originated this community and trust desired to tie it indissolubly to the Church of England. I think that no lawyer can doubt the effect of these statutes after what I have just read.

3844. Who did you say was the chaplain?—Mr. Upton Richards, the vicar of All Saints', Margaret-street.

3845. There is a chapel in the building?—I believe there is; I have never been into it, but I have heard that there is.

3846. Is there any regulation in the statutes for the observance of the services in that chapel according to the forms of the Church of England?—No, I think that the chapel did not exist then; the chapel has been added, I have heard, since then.

3847. There is no such provision in the statutes?—There is no provision in the statutes for the maintenance of service in the chapel of the institution.

3848. There is nothing to bind the chaplain or the services in the chapel to the rubrics in the Church of England, except the fact that the chaplain is supposed to be a clergyman?—I will just read you what the statutes say about the chaplain. Mr. Upton Richards was the first chaplain and is the present chaplain; he has always been

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the chaplain. The third rule is this: "The superior shall be a full admitted sister and shall be appointed in manner hereafter mentioned, and shall have the government of the sisters and other inmates of the house and of the household thereof. The first chaplain of the house shall be the Reverend William Upton Richards, the Incumbent of the said district of All Saints; and all future chaplains of the said house shall be elected by the said superior and sisters, and shall be approved and confirmed by the visitor."

3849. Then that refers to the superior?—No, to the chaplain; "the first chaplain of the house shall be the Reverend William Upton Richards, and all future chaplains of the house shall be elected by the said superior and sisters, and shall be approved and confirmed by the visitor."

3850. Is that first chaplain a clergyman of the Church of England?—Yes, he is a clergyman of the Church of England now; the Rev. William Upton Richards is a well-known clergyman in London.

3851. Mr. *Sherlock.*] Is he not there described as the Incumbent of St. Margaret's?—Yes, "the Incumbent of the said district of All Saints"; and he has been there for many years.

3852. Mr. *Newdegate.*] The appointment of the chaplain depends upon selection by the superior?—And upon election by the superior and sisters, and subject to the confirmation of the visitor.

3853. Then the superior you stated is to be "a fully admitted sister"?—Yes.

3854. Is there any difference in the grades?—There are two kinds; there are probationers, and there are fully admitted sisters.

3855. Mr. *Bourke.*] That is all in the rules, I suppose?—That is all in the rules. "The sisters consist of two classes; first, confirmed sisters after probation; and secondly, sisters probationers. The time and nature of probation shall be settled in the rules hereinafter mentioned; but the superior and sisters, with the advice of the chaplain, shall be at liberty to shorten the period of probation at their discretion in any particular case."

3856. Are those rules contained in a subsequent part of the document which you hold in your hand?—Yes; the 11th rule says: "No person shall be admitted into the house as sister probationer unless she be a member of the Church of England, and in full communion with the same; and every such admission shall be made in such manner and form as shall be determined and set forth in the said rules."

3857. Perhaps you will put those rules in?—I will send a copy of them as soon as it can be made.

3858. Mr. *Pemberton.*] I think you said that there was no secrecy or wish for concealment, with regard to this institution?—Certainly, there is none.

3859. It would be impossible to conceal it, would it not?—I will not say that it would be impossible to conceal it, but I am certain that it is not to their interest, and that it is not their wish to conceal it. It is my constant advice to give the fullest information to everybody.

3860. I mean that the assignment of the lease to the four trustees contains actually a declaration of the trust on which the property is to be held by way of reference?—Yes, but it only refers to the statutes, and the statutes are not necessarily a private document which would no be open to the public.

3861. But the trustees must hold it in trus according to those rules and regulations whic you have put in?—Yes.

3862. Those rules and regulations declaring it t be strictly for the benefit of persons in communio with the Church of England, it would be impossi ble to apply the property of this institution t any other purpose?—Wholly impossible.

3863. You know as a lawyer, that when trust are declared as clearly as that, any person enti tled to the benefit of the trust, could enforce th specific performance of the trust in the Court o Chancery?—Yes; or any person could set i motion the Attorney General as the relator t make anybody do his duty in the matter, or se in motion the Charity Commissioners.

3864. I suppose that this is such an institutio as would come under the jurisdiction of th Charity Commissioners?—I do not quite kno whether the Charity Commissioners can meddl with charities of so late a date as 1859, but I d not say that they cannot, because I have neve applied my attention to that.

3865. There cannot, in your opinion, be an abuse of this charity, by its being diverted fo the benefit of any other religion?—If any of th parties do not do their duty there are the sam means of requiring them to do their duty as exis for all other trusts.

3866. All the trusts are open and clear, an can be ascertained by referring to particula documents?—Yes, or can be got at; for th statutes are not enrolled themselves, but you ca get at them by proper proceedings.

3867. My friend, the Member for North War wickshire, asked you whether obedience to thes rules was not a matter of contract?—Yes.

3868. I do not know whether you meant t attach any particular importance to the wor "contract"?—I say that it is the same contrac as exists between the shareholders and the di rectors of a public company for carrying on bank or insurance office, or any other publi undertaking.

3869. Is it so strong as that; does not a share holder when he executes a deed of settlemen actually covenant that he will be bound by th rules?—I suppose he does, but I suppose that i equity the members of this institution also woul be bound by these regulations.

3870. My friend, the Member for North War wickshire, attached importance to the word "con tract;" is it anything more than this, "I agre to be bound by the rules of the club into whic I enter"?—That is it.

3871. Is it anything more; is there any cove nant?—There is no covenant.

3872. *Chairman.*] I think one of the terms o the agreement is, that no sister shall withdra any property which she may have given to th community?—"No sister, whether dismissed o not, whether remaining or not, or her heirs executors, or administrators, shall have or b entitled, either in her lifetime or after her decease to, or shall have power to claim, either at law o in equity, any estate, right, title, interest, pro perty, or share whatsoever in or to the real estat or chattels real, houses, leasehold or copyhol estates, stocks, funds, and monies, or in or to th household furniture, books, linen, china, and othe chattels and personal effects belonging to or hel in trust for or used for the purposes of the sai society

iety, or any of them, or any part or parts reof, anything herein contained to the con- ry thereof in anywise notwithstanding." I nk that is binding. It is like the rules of a ıb; I take it that no gentleman, when he goes ay from a club, can claim, nor can his executors im, any part of the property of the club. I nk that a club is a much better illustration of connection which exists here in this case than leed of settlement such as I referred to just w.

3873. Mr. *Pemberton.*] Because in the one e there is a covenant, and here there is only an plied agreement?—Yes, it stands exactly in same relation to this institution that the rules a club do to a club.

3874. There is nothing in those rules which kes it compulsory on any of the sisters to con- bute anything?—Nothing.

3875. So that if they do contribute anything, y contribute with a knowledge of that rule to ich you have referred, and with the full recol- tion that when they leave the society they l not be able to take it away?—Yes.

3876. *Chairman.*] There is a written agree- nt, and it is binding on them?—Yes; no one en she goes away can say, "that chair or table ongs to me, that has been bought partly by money."

3877. Mr. *Pemberton.*] It would be binding in s way, that money once given would form rt of the common fund, and that agreement uld prevent a person from claiming part of t common fund?—Yes.

3878. My friend, the Member for North arwickshire referred to the use of a religious pression equivalent to the words of an oath; I not think the words you quoted can be so garded?—I did not regard it as an oath myself; do not know whether it is becoming for me to press my opinion what it really does mean; t the words are these, "We the undersigned hereby severally agree to be bound by, and serve all, and every, the statutes and rules of e Society of the Sisters of the Poor, established the foregoing deed, so far as the same are plicable to us respectively, God being our lper." I dare say that a great many persons tender conscience might feel that in doing that ey were entering into a solemn obligation, and at if they failed in it, they would feel it some rt of a burden on their conscience, but they ill do it as nearly as they can, they mean, and is not to be a pressure on their conscience if ey happen to fail through lack of attention, or rough infirmity of purpose.

3879. I think you said that in case the society ould be dissolved after the death of the found- ss, the property was all to be realized, and the oney was to be applied in such way as the ustees should direct?—Yes, "in connection ith the Church of England," I think the words e.

3880. Do you remember whether there is any ower of appointing new trustess?—Yes; and have exercised it myself.

3881. What is the power of appointing new ustees?—The 19th rule says, "Whenever any ustee or trustees shall die, or desire to be dis- harged, or shall refuse or become incapable to ct, the superior and sisters shall appoint a suc- essor or successors." It also goes on, "But his provision shall not supersede the power of ppointing new trustees conveyed in such original conveyance or assignment," the object being to keep the title clear so that it may not be necessary for a purchaser from the trustees to ascertain whether the sisters had properly appointed new trustees.

3882. But the result would be this, would it not, that the persons ultimately to distribute the funds would be the persons appointed by the community itself?—Yes.

3883. Mr. *J. G. Talbot.*] With regard to the property, though the rules distinctly provide that the members shall not be able to keep any part of the common property, there is nothing in the rules which prevents any woman from continuing to hold her own personal property, is there?—Nothing whatever.

3884. So that this community entirely differs from any community where every person on entering gives up all private property?—Yes, there is no such relinquishment of private property in this case, and I know of my own knowledge that they do retain their property, because I have been asked to make wills and deeds of gift for the sisters.

3885. Is it not just the same as with any member of a college at one of the universities, who could not claim any part of the property of that college which he had himself contributed, but at the same time is not debarred from claiming any part of his private property which he may have brought with him to the college?—Certainly; they do not give up their property by joining the institution, they retain their money in the funds or anywhere else where they may have it, and of course they go away with that; but any money that they have paid in to the treasurer or to the trustees is held for the common purposes of the institution, and it would lead to the most serious inconveniences if that sum of money had to be followed, and you had to try and distinguish it from other sums of money given by other people.

3886. *Chairman.*] But there is no arrangements amongst them to give up the property that they receive afterwards?—Not at all.

3887. One of the sisters might receive a large sum, and she would not be bound to distribute it?—Not in the least.

3888. They take no vow to live in poverty, and there is nothing to preclude their taking property?—Not in the least.

3889. Mr. *J. G. Talbot.*] With regard to the chaplains, the honourable Member for North Warwickshire put to you, that the chaplain was supposed to be a clergyman of the Church of England. According to the rules it is impossible for him to be anything but a clergyman of the Church of England, is it not?—Mr. Upton Richards, who was appointed, was undoubtedly a clergyman of the Church of England then, and is now, and the chaplain is, I think it is mentioned, to be a member of the Church of England.

3890. I ask you as a lawyer whether it would not be impossible for an institution, connected inseparably, as you say this is with the Church of England, to have a person called a chaplain who is not in holy orders in that church?—Of course.

3891. It would be contrary to common sense?—Quite contrary to the spirit of the whole of the statutes.

3892. If not in words impossible, it is practically impossible?—It is practically impossible, if not so in words.

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3893. Sir *J. Ogilvy.*] You say that his appointment is subject to confirmation by the visitor?—There must be a visitor, and the present visitor is the Archbishop of Canterbury, that is to say, he was, when he was Bishop of London, appointed visitor; whether he has ceased to become visitor by ceasing to be Bishop of London, I should not like to say.

3894. *Chairman.*] May they select their own visitor?—Yes.

3895. But the chaplain must be called a member of the Church of England?—Certainly.

3896. Mr. *Bourke.*] Do not answer the question which I am about to ask you if you have any objection to do so; this 7,000 *l.* that you have spoken of belonged to the institution before you were connected with it, I suppose?—Yes, I believe so; I cannot exactly say; that has not come under my knowledge since I have been there.

3897. Do you know who gave it?—No; but I can find it out, and will tell you with the greatest pleasure; I have not the least objection; there is no mystery at all about it.

3898. With regard to what is called common property, that is to say, property vested in trustees, unless that property is absolutely and directly vested in trustees by the different ladies, they lose no control over any other property whatsoever?—They do not lose any control over any property but what they absolutely pay to the treasurer for that purpose.

3899. With regard to these rules, do you know whether they were made upon the model of any others?—I do not know; Mr. Buller framed them, I did not.

3900. Do you know whether any other institution has taken them as a model?—That I cannot say; I think they bear some resemblance, but not a close resemblance to those of Clewer, which I did frame.

3901. Have you ever thought of communicating with the Charity Commissioners with regard to this property?—No; I have never had my attention directed to that.

3902. Or they with you?—No; the idea has never been suggested to my mind till I came into this room.

3903. Mr. *G. Gregory.*] As I understand those rules, every lady enters into a contract that she will not claim as against the common fund?—Not a contract in the technical sense of the word; but there is an agreement that she will not carry away any part of it.

3904. You are acquainted with the doctrine of equity as regards contracts being vitiated by fraud, surprise, and undue influence; all those doctrines would operate upon that contract, I presume?—Yes, certainly; if any of those injurious impressions were made upon the minds of the persons who signed.

3905. They must do it with their eyes open, freely and deliberately?—Certainly; there is nothing to take it out of the ordinary rules which bind all societies, and which regulate the interference of the Court of Chancery.

3906. I think you said that you have never turned your attention to the jurisdiction of the Charity Commissioners?—No, I have not, with regard to this institution; I have with regard to others.

3907. You will answer this question or not, just as you please; supposing the Charity Commissioners should wish to exercise their jurisdiction with respect to this institution, should you feel individually any objection to their doing so?—I think any lawyer would say that he would sooner not be meddled with by the Charity Commissioners; but I should not object to it on any grounds of secresy, if you meant that. There is nothing to conceal.

3908. *Chairman.*] But did we rightly understand you, that any property left for this institution would be regarded as a charity?—Undoubtedly; it could only be personal property, and pure personal property, as lawyers call it.

3909. I mean, would you call any property left for this institution a charity?—Yes.

3910. And, therefore, it would come under the jurisdiction of the Charity Commissioners?—I do not know back to what date they have powers; but it stands in the same position as any other institution; as the hospital across the river, for example.

3911. At present there has been no permanent endowment of it?—Nothing in the nature of a permanent endowment beyond the bequest of the house.

3912. Mr. *G. Gregory.*] Is this house that you have spoken of in Middlesex?—Yes; 82, Margaret-street, Cavendish-square.

3913. And the lease is registered in Middlesex?—Yes, and the assignment of it is enrolled in the Court of Chancery.

3914. And may be seen by anybody?—Yes.

3915. *Chairman.*] You will send us the rules?—I will send a copy of the statutes immediately.

3916. Can you state whether these rules could be varied without the sanction of the visitor?—The 14th rule says: "The superior may, with the consent of the majority of the sisters and the chaplain, make and vary such rules for the internal management and discipline of the sisters as shall be consistent with the statutes of the society, and be approved by the visitor." The superior and the majority of the sisters and the chaplain may make any rules consistent with the statutes; but they must be approved by the visitor, "and all such rules shall be accessible to all members of the society."

3917. I suppose that there is no rule that provides for the bishop or visitor being of the Established Church; it is presumed that he always will be?—No, there is no such rule; the sisters may choose their own visitor. But he could not be anything but a member of the English Church, because the first rule says that it shall be conducted and carried on in "accordance with the true Christian faith as it is set forth in the doctrine and discipline of the Church of England." It is indissolubly tied to it.

3918. So that they could not elect the Archbishop of Westminster to be visitor?—No.

3919. I suppose you are not now acting for any other home?—I am acting, I think I may say, for St. Peter's Home, at Kilburn, which Mr. Benjamin Lancaster has lately founded. I assisted him in that to some extent, and I acted for 20 years to the Clewer House of Mercy, and resigned that position last year.

3920. Is there anything peculiar connected with those institutions that distinguishes them from the one that you have been speaking about to-day?—No; they are all much on the same footing; they are tied to the Church of England, the bishop is the visitor, and the inmates have all liberty

iberty to go away whenever they think pro-
er.

3921. Mr. *Pemberton.*] And their property is eld by trustees for them?—Yes; of whom, in the ase of Clewer, Mr. Gladstone is one, Sir John oleridge another, and the Bishop of Winchester third.

3922. *Chairman.*] They are all religious so-ieties holding property in common?—Yes.

3923. Mr. *Pemberton.*] They have some pro-erty in common, you mean?—Yes; and Clewer as got freehold property on which their House f Mercy is built; it is freehold, not leasehold; ut they have no land in the ordinary sense of he term, no land from which they derive income.

3924. *Chairman.*] They may have no land at resent, but there is nothing to preclude their having it?—They can only receive it in the way in which any other charitable institution can receive it, through the intervention of trustees, and it must be duly enrolled, and all the other formalities must be observed.

3925. Mr. *Bourke.*] There is a distinction between holding common property and holding property in common, is there not?—They do not hold property in common.

3926. When people are said to hold property in common, it means that they hold all their property in common; that is not the case here?—No; they do not hold all their property in common in any of these institutions; they have their own property, and they make their wills and dispose of that property, like any other individuals.

Mr. Arthur Hobhouse, Q.C., called in; and Examined.

3927. *Chairman.*] You are one of the Charity Commissioners still?—Yes, I am. I ought to ay that I am rather a sham commissioner. I im not acting much on the Commission. I act n the Endowed Schools Commission, though I emain on the Charity Commission.

3928. Were you a commissioner when it was irst established?—No, I was appointed in 1866; nd I was actively working on the Commission bout three years and a half.

3929. But you had an opportunity of knowing, while you were so acting, what were the charities hat were brought particularly under the jurisliction or within the jurisdiction of the Commission; and I would wish to ask you whether ou learnt during that time the reasons why no Roman Catholic charities were enrolled or were ubjected to your jurisdiction?—I can hardly say hat I learnt the reasons, because we had very ittle intercourse with Roman Catholic charities. The fact was as I state; I suppose the reason partly was that the Roman Catholic charities were not subject to the Charitable Trusts Act until a considerably later period than other charities. I think it was in 1860.

3930. In 1860 what is called the Roman Catholic Charities Act passed?—Yes.

3931. Since the time when you were appointed, you have not observed that you have had much to do with Roman Catholic charities?—No, not a great deal; not so much as with the Protestant Dissenters or Church of England charities.

3932. But looking to the provisions of the Act affecting your jurisdiction, and to the purpose of legislation in that respect, Roman Catholic charities were intended to be placed on the footing of all others, were they not?—Clearly so.

3933. Can you tell us then what difficulties Roman Catholics had in bringing their charities under your notice, and why it is that, as you may say, they have hardly availed themselves of the Act after the first year of its passing?—I have always believed that the difficulties which have affected Roman Catholic charities have been that some of the trusts, whether expressed or implied, on which the property is held, are obnoxious to rules of law, and as to others it is doubted whether they are or are not obnoxious to rules of law; and, in some cases the Roman Catholics have feared to expose themselves to deprivation of their property, and in other cases to litigation, which they have a very natural desire to avoid. That was the reason why they were excepted, I believe, from the earlier Charitable Trusts Act for six or seven years; and I suppose that that same reason has operated to prevent them from coming very forward before the public tribunals.

3934. You consider that that state of the law which made them obnoxious to it before 1860 continues still?—It certainly continues to some extent.

3935. I think the Commission was constituted in 1853 or 1854?—In 1853.

3936. Then in 1860 this Roman Catholic Charities Act was passed?—Yes.

3937. Did not that remove their difficulties, or extend some relief to them which did not exist before?—No doubt it did; but we must always remember that a habit once formed takes a great many years to get rid of, and people who have had their fingers burnt fear the fire.

3938. But, practically, what is the case; is there any difficulty, from any state of the law, that Roman Catholics ought to feel now in disclosing their trusts?—I take it that that depends entirely upon the nature of the trusts. I ought to say that I am speaking in a very uninstructed manner upon the question as to the legality or illegality of particular Roman Catholic trusts, because it is a point that I have never studied. I never happened to have any question of the kind in my practice as a barrister, and I have never had it brought before me judicially as a Charity Commissioner; therefore I am only speaking of what I know at secondhand, and from the casual occurrence of questions of that kind. But I believe that in the case of monasteries, where vows are imposed upon those who enter them, the best lawyers think that trusts of property for such institutions would be illegal. I believe also that in the case of convents (either for men or for women) generally, independently of the question of vows, there is some doubt about it; but I am not at all prepared to say myself how far those doubts or those opinions are ill or well grounded.

3939. Did the Commission consider that any property left for the benefit of a monastery or convent would come under the description of a charity?—I only remember one case of the kind coming before myself, or, indeed, before the Board, while I was a member of it. That was a case either at Hastings or St. Leonards, where,

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if I recollect rightly, there was an institution of a conventual character with a school attached to it, and I think it had two distinct sets of trusts; one was for education and the other was for the support of that religious body to whom the education was committed. All I can say is, that we did not entertain any doubt that that was a charity *in toto*. I remember myself making an order for either the sale or mortgage of some of the property. The title was accepted by a stranger, and therefore I suppose that nobody else entertained any doubt upon it. The validity of the title, you see, would depend upon the validity of our order.

3940. You do not state that that was either a monastery or a convent, but that it was a society of a conventual character?—Yes.

3941. That would, I presume, have made the deed void, so far as it went; but inasmuch as there was some object of promoting education, so far it was good, as I understand you?—No; what I said was this: that I believe that doubts had been entertained about the validity of convents in general. Of the validity of those doubts I say nothing. All I know is, that in the only case that came before us, where the trusts were, if I recollect rightly, for the support of a religious body (I think it was of ladies exclusively) and for the support of a school in connection with that body, we treated the whole as being a valid legal trust for charitable purposes, and that treatment of ours has been accepted by somebody or other who bought the property under our order.

3942. That recognises that societies of a conventual character are legal?—In that particular case the trusts were exceedingly short, I recollect. I had to look into them, because they wanted some adjustment of their property, and some question arose between the two classes of trusts.

3943. I presume that that decision would guide the Commission in cases that were similar?—Yes. I can hardly call it a decision, however, because the question was not disputed by anybody. It did not occur to us to suppose that there was any illegality in a number of ladies collected together, holding property together, receiving an endowment, and keeping a school.

3944. Then practically the Commission view convents or societies of a conventual character as legitimate objects of charity, and you would administer trusts in their case much in the same way as in the case of a Protestant community?—Yes; unless we were aware of any statute which appeared to make a particular society illegal, we should ask no question; we should treat the matter as subject to the jurisdiction of the Charitable Trusts Act.

3945. But do you take notice of Statutes that you may assume to make societies or communities illegal; do you look at that point?—If we knew of such a Statute, we should take notice directly of the illegality; but we do not carry the Statute Book in our heads, of course.

3946. But inasmuch as these cases most constantly arise before the Commission, they have come to some decision on the point, I suppose?—This is the only case that I know of, the only case that, as far as I know, occurred while I was at the board; and since Mr. Pemberton spoke to me about coming here yesterday, I saw the chief commissioner, Mr. Erle, and asked him if he could recollect any case, and he could not.

3947. But supposing there to be a doubt about conventual institutions, I suppose ther is no doubt about monastic institutions, an that they are made illegal by Statute, and tha any bequest for the purpose of maintaining ther would be illegal?—Of course the moment w came to the knowledge that the society itself wa subject to any law which made it illegal, w should say, "Any gift for the purpose of mai taining that society is void, and we can take n notice of it."

3948. Have you been led to consider th policy of the law as it affects these different in stitutions; is there any wisdom or advantage i making that distinction between societies of conventual character and what are called mona tic institutions?—I have not been led to conside that, and therefore I do not know on what di tinctions of law any distinction between th various societies may turn. Of course I can un derstand that there may be a very broad distinc tion, in point of policy and in point of law between societies which assume to impose bindin vows upon the consciences of their members, an those which do not; I could understand such distinction as that, but I have not been led t consider that as a lawyer at all.

3949. But you have apparently had to adminis ter a trust left to a society where there was thi kind of obligation that you refer to, of solem vows?—I was not aware of any vows in tha case which I spoke of; there was nothing abou it in the trust deed.

3950. Then it was not, perhaps, a convent?—I may not have been so; but I can only say that i was a collection of ladies who lived in what wa popularly called a convent there.

3951. Then the vows were not brought unde your attention?—No, certainly not.

3952. May we collect from you, that as far a there is any distinction between monastic institu tions and convents, it is rather of a fanciful cha racter, seeing that they are both bound by thes vows that you think are impolitic?—I shoul conceive that there is a broad distinction be tween a society that was at variance with th general policy of the country and one that wa not; but that is really speaking rather as a citize of the world than as a lawyer.

3953. But can you state to the Committe any mischief that you have observed to aris from the state of the law, seeing that yo cannot deal with trusts that are left for Catholi or monastic institutions?—It seems to me tha the law wants a most careful revision. Ther is no doubt that Roman Catholics have bee at periods since the Reformation subjecte to very great and grievous disabilities. Thos have been removed to a great extent piecemea and in such a way that it requires a very accu rate and lengthened study of the subject by skilled person to tell how far they exist and hov far they do not exist. That that state of th law can be satisfactory to anybody, I cannot con ceive; and I believe that it is that state of th law which has led, I will not say to the desire o the part of the Roman Catholics to conceal thei trusts (for I do not know that there is any suc thing), but to the fact that the Charity Commis sioners have not had that number of application before them, and that amount of dealing wit them which, from the number of their endow ments, it would be natural to expect.

3954. Do you know of any evil or inconveni ence that arises from your not having had t conside

consider these different Roman Catholic charities?—No, I do not.

3955. Have you heard of any misappropriation of trusts, or of any departure from the intention of the donor or testator?—No complaint has ever reached our office on that score.

3956. Do you consider that the Commission has been the means of preventing misapplication of trusts in other cases of endowment?—I have no doubt that they have been the means very often; of course one never can tell of that which has not happened, whether it would have happened the other way; but I have no doubt of it, on account of the enormous number of complaints, increasing year by year, which are sent up on very trifling occasions, indeed most of them without foundation, but showing that people all over the country have their eyes open to the fact that there sits in London this tribunal which is ready to receive complaints.

3957. Before the existence of the Charity Commissioners, persons had to resort to a very tedious and expensive process in the Court of Chancery, in order to secure the right administration of a trust?—Yes.

3958. I believe the Charity Commission acts as regards these charities, or in cases of difference amongst trustees, gratuitously?—Yes.

3959. So that the parties are put to no expense in bringing any question before the Commission?—They have no expense in the way of court fees, or anything of that kind; of course, if they employ counsel or an attorney, they must pay them.

3960. And if you have not a concurrent jurisdiction, you have a sort of delegated jurisdiction from the Court of Chancery, have you not?—No, it is not delegated, it comes direct from the Legislature. The office is a very peculiar one, and it is not easy to describe it in a few words, but describing it as shortly as I can, I would call it in one of its aspects a subordinate branch of the Court of Chancery with precisely the same jurisdiction as the Court of Chancery, but in addition to that, holding the key of the door of the court as it were, so that no one can approach the Court of Chancery, excepting through the Charity Commission, unless it is the Attorney General.

3961. Is there an appeal from the Charity Commission to the Court of Chancery?—Yes, a direct appeal; that is the judicial side of the Commission. There is another side which is purely official or administrative; that was the earlier aspect of it, and in that respect the Commissioners make inquiries whenever they receive complaints, or otherwise find reason to make inquiries into the working and position of any charity; they receive applications from trustees who are in difficulties, or who have quarrelled, and give them advice which is authoritative in its character, and completely indemnifies everybody who acts under it; and they also have the power of enabling trustees to deal with their property in a way which they could not do otherwise by way of lease, sale, exchange, and a number of other arrangements.

3962. In fact you afford relief whenever it is required, and it is open to everybody to bring their case before the Commission?—It is open to everybody to bring a case before the Commission, we cannot of ourselves afford relief except to a limited extent.

3963. I do not quite understand why; do you not originate inquiries yourself?—Yes, inquiries; but there are several limits to the jurisdiction of the Commission. In the first place, if the charity is above 50 *l.* a year in value, the trustees themselves must apply for an order. If the charity is of less than 50 *l.* value, then somebody else, either the inhabitants of the place or persons specified in the Acts, must apply. In the third place, we cannot make a summary order of any kind for payment or restitution of property; all we can do in the way of relief is to remove the trustees or make a scheme. If there is property to be restored then we can only certify the case to the Attorney General, who, in that case, brings it before the Court of Chancery, and the Court of Chancery does justice.

3964. I presume that there is no objection in regard to those who can benefit by the trust to having it brought within your jurisdiction?—I think there has been a very general acquiescence in the jurisdiction of the Charity Commission, and I think that that has grown year by year as people have found the benefit of having the much cheaper and speedier action that they get there.

3965. In fact you would say, from what you have observed of the working of the Charity Commission, that it was a decided disadvantage to any section of the community to be precluded from having the benefit of its authority?—I think so.

3966. You have no other ground for supposing that the Roman Catholics might object to submit their charities to your notice, except that by the state of the law they are interested in not disclosing, or are induced not to disclose, their trusts?—That ground, and the other which I mentioned of long habit, that they have been so accustomed to manage their affairs amongst themselves, perhaps from the much stronger ecclesiastical organisation that they have, and the much stronger bearing that they have on the consciences of the trustees. They have had that habit, and that habit goes on.

3967. You are not prepared to state in what way they do manage their charities?—No, I do not know the inside of it at all.

3968. You have no suggestion to make to the Committee for the amendment of the law, from anything which you have observed with respect to the Roman Catholic charities?—Not from anything which I have observed.

3969. Mr. *Newdegate.*] You are acquainted with the terms of the Roman Catholic Charities Act of 1860?—Yes, I have brought the Act here for reference.

3970. I think you must be aware that there are advantages granted to the present trustees or owners of Roman Catholic charity property which are not granted to the possessors or persons interested in any other charity property, that is that, barring all questions of legal title, all questions of administration, and all questions that might interfere in the cases of other denominations with the right of possession, the mere user, the mere possession, independent of all these possible interruptions, gives a right to Roman Catholics under the Roman Catholic Charities Act which is not possessed by any other denomination?—No, I was not aware of that, and I doubt whether that is the case; it is the 5th section, I think, that you refer to, which is as follows: "Where any real or personal estate, subject to any use, trust, gift, foundation, or dis-

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position for any charity relating to or connected with the Roman Catholic religion, shall have been applied upon any charitable trusts relating to or connected with the same religion during any continuous period of 20 years; but the original trusts of such property shall not be ascertained by means of any written document, the consistent usage of the last preceding 20 years or of the last period of 20 years, during which any consistent usage in the application of such property shall have prevailed, shall be deemed to afford conclusive evidence of the trusts on which the same property shall have been settled."

3971. Are you aware of the operation of that?—The operation of that has never come under my observation. I am not aware that it has ever come into any court of justice; but the operation would be this, that whereas in all other charities usage is taken as evidence of the trusts in case there is no evidence by written documents, and there is no positive statute saying that 20 years' usage shall be absolutely conclusive; in the case of the Roman Catholic charities this Act applies precisely the same principle, but says that 20 years shall be conclusive.

3972. That is an absolute advantage to the present owners of Roman Catholic charity property?—That is very questionable; it might be an advantage; it is sometimes an advantage to have an arbitrary rule, and sometimes not. If it is an advantage it had better be extended to other charities; I should rather do without it myself.

3973. At all events it is a peculiarity strongly tending to retain in the present hands as trustees any charity property subject to that provision?—It would have this effect, that if you showed that there was some usage prior to the term of 20 years, a court of justice could not look at that. In the case of another charity, there might be a litigation on the subject, which might turn out one way and might turn out the other; generally 20 years' usage would carry the court with it. The same principle was applied to the Dissenters' chapels. If you remember the Dissenters' Chapels Bill went on the same principle; there was a good deal of litigation about them, and Parliament thought fit to interfere, and say 20 years shall be sufficient to fix the nature of the Trusts.

3974. That is a peculiarity, securing the possession in existing trustees, which is applicable to the property of no denomination but the Roman Catholics?—No, it does not secure the existing trustees, it fixes the trusts according to 20 years' consistent usage, it is nothing to do with the position of the trustees.

3975. I did not explain myself clearly. My question related rather to the uses than to the trustees; this provision secures the uses, does it not, in a manner different from the security afforded to any other denomination?—Excepting it may be the Dissenters' Chapels Bill, I do not remember this absolute rule being introduced, but it is in the main the rule which governs the Court of Chancery and the courts of law.

3976. It may be the rule in general, but there is no other statute in which there is so distinct a restraint against interruption of possession and use?—I do not call any to mind at present, except the one I mentioned; but this observation should be confined to property, subject to public or perpetual uses. As regards private property, Lord Tenterden's Prescription Act, and indeed the Statute of Limitation, proceeds on the same principle.

3977. Notwithstanding this peculiarity, you have not found the Roman Catholic body avail themselves of the services of your Commission as the trustees and persons interested in other denominations have done?—Not to the same extent. I may tell you that there is no class of charitable foundations that has come so much and so freely under our jurisdiction as the Protestant dissenting chapels, and this by their own free will; for they have been exempted until their trustees should petition to be admitted to the benefit of the Acts. A great number was admitted every year, each by a separate proceeding. Last year an Act was passed, at the instance of the greater Dissenting bodies, to remove the exemptions they had insisted on having in the Act of 1853; they have given us a great deal of work; I have no doubt you know that very well.

3978. But you are aware that an objection to being subjected at all to your interference, if I may use the expression, or to your supervision, was entertained very strongly by the representatives of the Roman Catholics in the House of Commons previous to the passing of this statute?—No doubt it was; they got the exemption.

3979. And at the time you had reason to hope that that objection had abated, because there were a certain number of charitable properties enrolled during the years 1861 and 1862, I think?—I believe so.

3980. Were you a Charity Commissioner at that time?—No, I was not, not till 1866, so that my attention was not called to that fact.

3981. And when you became a Charity Commissioner the applications for asssistance were very few?—Very few.

3982. When you spoke of a doubt as to the legality of convents of women, did you refer, or intend to refer, to any doubt as to the purpose of the charity being superstitious, in the sense of depending upon prayers for the dead?—No. My impression is, that it is the imposition of vows which is the difficulty; but, as I tell you, I have not studied the matter; I have never had occasion to look at it as a lawyer, and I do not know it accurately.

3983. You are aware, perhaps, that there is a distinct prohibition and restraint, under the Roman Catholic Relief Act of 1829, against vows taken by men, but that there is no restraint or prohibition against vows taken by women?—That is exactly the point which I did not know; that enlightens me at once, and shows you how little I have examined the subject. I am quite as willing to show you my ignorance as my knowledge.

3984. You spoke of a convent at Hastings or St. Leonards in the case of the property of which you have interfered?—Yes.

3985. I think I understood you that there were two classes of property, one which was for the maintenance of the inmates of the convent, and the other which was for the maintenance of a school?—Speaking from memory, it was so.

3986. It was with respect to the second class only that your assistance was required?—No, with respect to both.

3987. You did not feel any scruple in dealing with this property of the first description, to which I have referred?—None whatever; one merely found that there were people leading a cœnobitical life; there was nothing on the face of

of the deed to show any illegality that I saw, and I did not doubt that it was a perfectly charitable and proper purpose.

3988. Mr. *Pemberton.*] Was it in one property?—There were two gifts, and two sets of trusts.

3989. Mr. *Newdegate.*] Do you share the opinion expressed by Mr. Erle, that a convent of one of the contemplative orders would not be a charity?—I think he expressed a doubt about it in his evidence; I was looking at it last night.

3990. In your own opinion, supposing there were not connected with a convent any object of relief of distress and sickness, any objects of education, any objects of a beneficial kind to any portion of the community except the inmates, and that the orders was cloistered, to use one expression, or contemplative, should you, or should you not, consider that a charitable property in the sense in which the chapels and schools of the Roman Catholic community are so considered?—I can conceive cases in which a good deal of difficulty would arise, and, of course, in every case you would require to see what is the exact tenor of the trusts before pronouncing whether it was a charity or not; now in the cases that you mentioned, where there was some eleemosynary or educational object attached, I suppose nobody would doubt that it was a charity; I can conceive cases where the benefit is confined so purely to the present inmates of a house, that it would be exactly like the Athenæum Club, and that it would not be a charity. One must put the case specifically in order to give any opinion. I will take a case like this; I will suppose that I give property to maintain a household of 12 women, who shall live a life of poverty, of chastity, of prayer, of fasting, and of contemplation, and I will add that they shall do so, in order to illustrate the glory of God, and the excellence of His Catholic Church. I have no doubt that that would be a charity, and I think it would be so, even if I cut away those last words.

3991. In order that I may request you to explain that answer, I would put this to you: you have assumed that there is a property for the maintenance of these cloistered nuns (for that is the common designation), but if that property had never been their own, would not their participation in that property be participation in an eleemosynary sense, and if it was participation in an eleemosynary sense, would not that constitute the convent a charity?—Yes; any element of alms would at once bring in the necessary legal conclusion that the thing was a charity.

3992. *Chairman.*] I do not think that your answer quite applies to the question, because the honourable Member does not speak of people in need, but merely speaks of a bequest; it hardly assumes the character of alms; it is a gift or bequest to persons not engaged in any charitable object, though it may be a religious object, and the question is, whether that is a charity?—I think if it is to promote a religious object that is a charity. I conceive that under the Statute of Elizabeth a religious object is as good a charity as any other, and that where the object of the donor is to promote religion, although his gift may be used in other ways, it is a perfectly good charitable gift.

3993. Mr. *Newdegate.*] Are you aware that in the Act of 1860, there is a recital of the clauses forbidding the male orders of the Church of Rome; perhaps you will have the kindness to read the 7th section?—There is no recital there; the words are, "Nothing in this Act contained shall be taken to repeal or in any way alter any provisions of an Act passed in the 10th year of his late Majesty King George the Fourth, intituled, 'An Act for the relief of His Majesty's Roman Catholic subjects, respecting the suppression or prohibition of the religious orders or societies of the Church of Rome bound by monastic or religious vows.'" I have no doubt it is such expressions as those in Acts of Parliament that have given me that general impression that exists in my mind that vows are the turning point.

3994. You have not read with a view to that clause the Relief Act of 1829?—No, I have not.

3995. Mr. *Pemberton.*] I think you said that you considered that in proportion to the number of Roman Catholics in England the number of their charities brought under your attention had been rather few?—I think so; one guesses at the number in England, but one knows it to be considerable.

3996. Do you not think it desirable that anything which checks their bringing forward their charities under your jurisdiction should be removed?—I think so; I think that publicity and regularity of control is desirable for all persons alike.

3997. And you think it advantageous probably that all the charities in the kingdom, of whatever religious denomination they may be, should be under the same supervision?—I think so; one may take an unduly official view of it, but I think so; I think it has been very beneficial hitherto in the organisation of charities and their control.

3998. And you have hinted that two of the reasons that you think operate on Roman Catholics to prevent that; one reason is usage which probably will wear off in course of time?—Yes.

3999. The other is the statutory disability?—The actual fear of the deprivation of property or litigation.

4000. Do not you think it is desirable that those disabilities should be removed, and that those doubts should be removed?—That the doubts should be removed seems to me most desirable, and that that is a point on which people could hardly differ. Whether all the disabilities should be removed is, of course, a much wider question of policy. I cannot help thinking that there are vexatious disabilities which are imposed upon Roman Catholics which any revision of the law would at once remove. Whether or no persons whose consciences are bound by strict vows should be placed on the same footing as other members of the society who are freer is a wide question of policy on which I am not quite prepared to offer an opinion; but I think that great steps should be taken in the direction of removing the disabilities.

4001. It will possibly or probably be the duty of the Committee, besides reporting on the state of the law, to report on any change which they might recommend, and I think they would be glad of the opinion of a gentleman of your experience on the subject. In the first place, would you see any objection, as a charity commissioner, to any disabilities being removed which prevent persons taking perpetual vows?—My experience as a charity commissioner in particular I do not think

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think gives me much ground to form an opinion upon that particular point.

4002. May I ask you as an individual?—Yes; I think that though the question is not without doubt, the taking of vows is a matter on which people ought to judge for themselves, and that if they were treated afterwards as ordinary members of society (always providing that the vows shall not be legally binding), and subjected to no disability on that account, it would be better.

4003. And so with respect to what are called superstitious uses, for instance, charities founded for the support of prayers for the dead, obits, and other things of that sort?—I should myself very much prefer that the whole law of superstitious uses should be abolished, to speak rather roughly; that is to say, that persons should be quite at liberty to judge for themselves what is and what is not a superstitious use, and that no use should be illegal excepting that which clearly violates the law of the land. It is much easier to illustrate what one means by giving instances than by speaking in general terms. I will take an extreme case, and suppose that there was a society of Thugs in operation; I should not wish that to be legalised, and I should not wish anybody to be allowed to leave property for supporting the Thugs; and yet there is no doubt that it is a religious society, that they worship their goddess (who has got some heathenish name which I cannot now recollect), and that they perform their horrible acts as acts of religious worship. But if persons think that prayers for the dead are edifying, though it happens that I do not think so myself, and I belong to a community which in general does not think so, I cannot help fancying that it violates no moral law, that it violates no rule of reason whatever, and that persons who think that it is edifying are edified by it; and I would much rather leave them at liberty to conduct their worship in their own way, and (subject to the laws affecting all endowments) to give endowments to conduct their worship in their own way; it makes them more religious, and I do not see why they should not be left to do that which they think fit, in the same way that we of the Church of England, or Protestant dissenters, are left.

4004. You would not object to legalise the charities that were good according to the doctrine of any religious community, as long as they were not contrary to general morality?—Just so. It is difficult to be quite accurate; besides "general morality" one ought to say, "to any positive law formed for the general safeguard of society." Now I will take a case that occurred the other day in the Court of Chancery. Some person left a fund for delivering from prison poachers and persons who had offended against the game laws. That person had a very strong feeling against one particular law, but no doubt the effect of the gift was to relieve criminals, and I think most of us would allow that that is an object we should not desire to see endowments for.

4005. Was there a judicial decision on that?—Yes, there was at the Rolls; it was decided to be illegal. On the other hand, you are aware of the Joanna Southcote case.

4006. *Chairman.*] Was there an endowment there?—An endowment was left for the purpose of propagating the writings and religious tenets of Joanna Southcote, and that endowment took effect in the year 1860. How many adherents of Joanna Southcote there were then I do not know, but I remember reading in the "Encyclopædia Britannica" in 1866, that there was then only one person in England who held the tenets of Joanna Southcote. She was dead, and you are aware of her great tenet; she thought that she was to be the mother of the Messiah. Of course with her death, her whole system fell to the ground, and yet it was held that that was a perfectly good charity.

4007. Did the one follower get the benefit of it?—Luckily there was a Chancery suit which absorbed the whole of the assets lawfully bequeathed to charity.

4008. Had it come under the Charity Commission, that property would have been safe?—I think it very likely.

4009. You would have admitted its title to be administered under your authority?—Yes, we should have had to make a scheme; but where there is endowment, there will be followers. We have a charity in our office at this present moment, for persons who, if I remember right, call themselves the real Sabbatarians; they observe the Sabbath on the Saturday instead of the Sunday. I believe that they are simply kept alive by the endowment.

4010. Is that a charity?—Yes.

4011. Mr. *Pemberton.*] Probably their object is to get two holidays in the week?—That may be so; I mention these instances to show the extreme liberty which we allow in every direction, thinking it better to allow even these crotchets to people, than to deprive persons of a liberty which they may exercise very usefully for society.

4012. The last witness seemed to entertain some doubt as to an institution coming under the Charity Commission, on the ground that it had only recently been founded; but that doubt is erroneous, is it not?—Yes.

4013. Any charity founded, even to-morrow, could be under your Commission?—Yes, the moment that a charity is endowed it comes under the Commission; subject to the exempted cases.

4014. Mr. *Bourke.*] About vows; supposing it came under your knowledge when they applied to you, that persons who were to take the benefit of the charity were bound by vow, what would you do in such a case?—One would carefully examine the law upon the subject, and see whether they were in a position which made them obnoxious to the law, and whether, therefore, a gift for the purpose of maintaining that position was an invalid gift.

4015. Then you would inquire into the nature of their vows?—Yes, we should make all such inquiries as were necessary for that purpose; we should look at the Acts of Parliament, see how they bore upon them, and ask the applicants to supply us with such facts as would enable us to come to a decision.

4016. I suppose you can hardly tell the Committee the character of the vows that you think would disentitle them to come under the Charity Commission?—I could not tell it with any preciseness of definition. I could mention special vows; I should say that for a young man to take a vow of perpetual celibacy was usually a great great evil, and a thing that the law ought not to hold binding. Whether it should hold gifts made to persons who had taken those vows invalid is a totally different question. I have expressed the opinion that it would be better to allow the gifts as freely as other endowments, but I coupled that with a statement that there were

s which I thought so prejudicial that the law ght to make them not binding on the indi- ual, but that he should be at liberty to retreat n them. You will understand that there are senses of the word illegality, and there is a stant confusion in discussing these questions legal gifts between those two senses. There n illegality in the sense of an act being an al offence against law, and there is an ille- ty in the sense of an act being generally con- y to the policy of the law, so that the law will actively support it. I will just illustrate the t by the common case of covenants in restraint rade. We all know that there are such things, that they are called, loosely speaking, ille- ; that is to say, that if you go into a court law to enforce such a covenant, the court of will not enforce it, because it is against policy. there is no illegality in the sense of offending inst the law; and by making that covenant incur no penalty. And that is the distinc- which I wish to be borne in mind here. It be very proper to hold vows illegal in the se that they shall not be enforced in courts of , without making them illegal in any other se.

4017. I wish to put the case of an oratory. oratory is an institution of secular priests. w, taking into consideration that all priests the Roman Catholic religion are bound by vs of celibacy and obedience to their superior, posing that there was a charity in favour of secular priests living together, bound by those vs, what would you say to that?—I imagine t it would be illegal under the present law; impression is so, but you must take all se impressions as being of a very imperfect racter.

4018. What view would the Charity Com- ssioners take of it?—All I can say is, that we uld study the case very carefully before ex- ssing any view.

4019. Mr. *G. Gregory*] You were examined to that Charitable Trusts Act, and how it ought the Roman Catholic charities under your isdiction. It is provided by that Act, I think, at in the absence of any other evidence the age of the last 20 years shall prevail in the erpretation of the trust?—Yes.

4020. That is in the absence of other evidence the contrary?—In the absence of other written idence to the contrary. It is to exclude the idence of prior parole testimony for peace ke.

4021. You were giving an illustration of what uld be a charity, and you said, as I under- od, that a donation for the purpose of a com- on fund, for the purpose of maintaining a certain mber of persons living together for religious rposes of worship, would be a charity?—I think

4022. And, as I took your illustration, it did t differ very much from the case of an ordinary mshouse?—No; I think that there are alms- uses which hardly differ from the case that I entioned; and that is one of the reasons for my inion. There are almshouses where the in- ates need not be very poor; where the element religion enters quite as much as the element of verty into the founder's notion.

4023. Some of those are in your jurisdiction? Yes.

4024. Your jurisdiction is increasing daily I ink; I mean the property brought under it? 0.92.—The number of persons who apply to us is increasing.

4025. And I think you have a large number of cases of property vested in your inspectors?—Yes; there is a considerable amount of land, I cannot tell how much, and about 4,000,000*l.* of stock; official trustees is the right term.

4026. Mr. *O'Reilly.*] You said, in answer to Mr. Bourke, that in your opinion, a gift to a number of secular Roman Catholic priests living together would be void, because they were all bound by a practical vow of celibacy and of obedience to their ecclesiastical superiors; if that opinion be correct, would not all gifts to Roman Catholic priests, as such, be void?—I think that you a little altered the nature of Mr. Bourke's question, and my answer. The question, as I understood it, was whether a gift to a number of persons, who were actually bound by vows, would be illegal; not of persons who had practically, but of persons who had actually, come under vows. That I believe to be an act against the law, and therefore a gift to maintain and strengthen that act would also be against the law; but if there is no such act against the law; if there are merely 12 persons living together, with some private understanding, not capable of reduction into any undertaking cognisable as an ecclesiastical offence by their own church, I should conceive that such a society as that might be the subject of gifts, and that those persons might exist together without any violation of the law.

4027. I will put to you, what is in fact the case of all Roman Catholic priests, and ask you to see whether it does not come under the description which you have just given; every Roman Catholic priest when he is ordained enters into a solemn undertaking by the very act to observe perpetual celibacy during his life, and he takes an oath of obedience in fitting matters to his ecclesiastical superiors, in the usual canon language, to the bishop or ordinary of the place; now as you have stated it, would not your description just now of persons to whom a gift would be illegal, include that description of Roman Catholic priests?—I do not think that it would; my impression is that the thing that is rendered illegal is a society of these persons bound by vows; but you must always remember that in examining me on the subject, you are examining me on a subject which I do not profess to have studied.

4028. You mentioned that as far as your opinion could go, you thought that Roman Catholics did not very largely enrol their charitable trusts since 1860?—I believe that they have enrolled a great number; but that we as Charity Commissioners have nothing to do with; that is a separate process.

4029. You very naturally attributed that both to distrust originated by old custom, and to the certainty of some trusts being illegal, and a doubt as to others?—Yes.

4030. Have you any knowledge on which to found an opinion whether they freely enrol trusts, of the legality of which there is no doubt at all, and declare them so as to bring them under your knowledge?—No, I have not.

4031. The reason I ask the question is this, that a paper has been put in by Mr. Kingston, of the Rolls Office, giving the number of enrolments, which he considered, from the terms referred to Roman Catholic trusts in the years 1867, 1868, 1869, and 1870, or a period of four years, and I find that in those years there were

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13 enrolments of trusts to which the Right Rev. Dr. Grant, who was, until very lately, the Roman Catholic Bishop of Southwark, was a party; showing that in that district, which is not a large one, which is called the Roman Catholic Diocese of Southwark, in four years there was an enrolment of 13 of these charitable trusts; these all appear to be for the purposes of churches and similar purposes, which are clearly legal; would not that rather tend to show that the Roman Catholics did enrol, tolerably freely, at least, charitable trusts, of the legality of which there was no doubt?—I should think it would, as to the enrolment; but of the enrolment I know nothing, and it is a formal act; there is no significance in it at all.

4032. It would be an advantage, would it not, to Roman Catholics that their bequests might be freely declared without any danger of illegality, in order that, if there was a misapplication or a doubt as to the rightful application, they might be able freely to make application to your body of Commissioners?—I should think so. If I were a Roman Catholic I should like it.

4033. And also, in many instances, it would be a great advantage to them, would it not, to assist in changes connected with the property?—Yes; there are certain administrative powers, powers of leasing, sale, mortgage, and so forth, very convenient to exercise, which cannot be exercised except with the consent of the Charity Commissioners.

4034. You have stated, and other witnesses have agreed with you, that certain trusts would be certainly illegal, in consequence of being applied to superstitious uses or to monasteries of men; and that another large class would be of doubtful legality, as referring to convents of women; as a lawyer, would you not, so that a lawyer would always advise his clients in the case of doubtful legalities, to avoid all risk by not declaring the trusts of anything that was doubtful?—Clearly so.

4035. Mr. *Sherlock.*] In reference to that establishment at St. Leonards, I understand that you conceived that you had jurisdiction in that case over both branches, by reason of the close connection between the one that was purely charitable and clearly within your jurisdiction, and the other which was occupied by persons who superintended and managed that charitable institution; am I right in that?—That, probably, would have made it clear even if it were not clear otherwise; but we considered that it was a mixed educational and religious purpose, and it did not occur to us to entertain any serious doubt but that it fell within the Charitable Trusts Act, and it occurred to nobody else; so the question was never discussed.

4036. But there was that mixture of charity and education in both branches which brought it within your jurisdiction as in thought?—There was that mixture; the religious society superintended the education.

4037. There was that mixture which rendered it inevitable for you to consider both together, for the educational object without the supplement of the religious society, who superintended and managed the educational department, could not very well have been carried out?—It was the scheme of the foundation that the society should superintend the school.

4038. And thus, even upon those grounds the property could not have been segregated; you could scarcely have declared the one charita and ordered it to be conveyed, and have l your hand and declined to interfere in regar the other?—I daresay that there would h been a difficulty even on that ground.

4039. I understand you to have expres your opinion with regard to the fifth section the Act of 1860, that it would not be judici in your opinion to extend it to other chariti you do not see that particular advantage in that in your opinion would render it judicious extend it?—My impression is, that the rule present applied is a very good one, and wo with great freedom and ease, and I rather th that in cases of perpetuities it is best not to h that very arbitrary rule of 20 years.

4040. Will you allow me to suggest to you practical advantage in the omission of that ru that if in any other institution not being Rom Catholic you had clear evidence of a previ user, which in your opinion as one of the Co missioners would be better adapted for general purposes than the continued user of years, whilst you would have it in your power ordinary cases to adopt that better and previ usage, you could not do it in the case of Rom Catholic charities?—I would not say that, cause you must remember that by the establi ment of a scheme the court has power to v details from time to time; you could not dep from the main principles of that which 20 ye usage establishes to be the very essence of foundation, but you could depart from vari particulars of usage on proper cause being shov by means of a scheme. The thing is done eve day in other charities.

4041. Still preserving the principle of the sign of the original foundation?—You must p serve the essence.

4042. But that section rather interferes w the free action of either the Commissioners the Court of Chancery, and binds them to ad the trusts as valid by a 20 years' usage?— binds their free action so far as they are judg of evidence, and are to decide what is the natu of the foundation; I do not think that it bin their free action as regards a new scheme; I not so read the section.

4043. Do you conceive that you have jurisd tion where the trusts are clear, apparent and w defined, to do otherwise by the scheme than ca out the very intention of the founders?— schemes, the details of the working of found tions are altered every week of the year.

4044. The scheme is but the mechanical car ing out of the intention expressed in the inst ment under which the property is held?—It i little more than the mechanical carrying out. is extremely difficult to define what the co may do and what it may not; and I do not kn that I can express it more precisely than I h done already by saying that you must keep the essence, but may alter the details; it be shown that you can further the main des better by some alteration of the details, you n alter those details.

4045. That is in furtherance of the origi intention with which the charity is founded Yes.

4046. Mr. *Pemberton.*] What I underst you to mean is this, that notwithstanding t clause which makes the 20 years' user take place of evidence, yet the power of the Court Chanc

ncery to direct a scheme is not interfered ?—I read the clause so.

47. Mr. *Sherlock.*] Do you conceive that r court has got jurisdiction by any scheme to r the object and intention of the charity?—It one constantly with regard to the smaller and ordinate objects.

048. And do you do it by complete departure the object of the founder?—That is only re the main object has failed; but as I say, rule is that you preserve the essence and you alter the details.

049. That is in a case in which the Court of ncery would adopt the doctrine of *cy-près*?—, when the main object has failed.

050. That is where the main objects cannot be ried out?—Yes, but even where the objects e not failed it may be found that those parti- ar details which were prescribed by the founder not work well, and you do his business better altering those details.

051. But still you do his business?—Yes, do his business; he is the master of the ition.

052. Now, in your definition of a charity, in the application of your authority to reli- us objects, you keep in view, I presume, the atute of Elizabeth as the foundation of that rticular doctrine?—Yes.

053. Does it occur to you that the Statute of izabeth could not have had in view any reli- us opinions entertained by persons who may ve taken monastic vows in the Roman Catholic urch?—There is no trace of such a view, and I ve often wondered that in the Statute of lizabeth there is no mention of religious objects all; and it is only by judicial decisions that e is enabled to pronounce so confident an opi- on that a religious object is a charitable object; it the decisions have been perfectly clear for a ng series of years on that point.

054. You mentioned your opinion with regard the non-validity of bequests to any society of cular clergymen of the Roman Catholic Church, ecause they are subject to vows of obedience and libacy. You are aware, I suppose, of the de- sion in the case of Sims and Quinlan, and in reland?—No, the name is new to me.

055. The point was decided by the Court of hancery that a bequest for the purpose of edu- ating pupils for the Dominican Order was void n the ground that that order was one which was bnoxious to the 10th Geo. 4. Now, bearing at in mind, and the ground of that decision, I sk you whether you are aware that a similar be- uest of landed property, or demise of landed roperty for the purpose of educating students theology with the view of becoming secular lergymen has been always upheld?—Not always, ut I think it has been upheld since the removal f the Roman Catholic disabilities.

056. Are you aware that a large portion of the roperty held by the College of Maynooth, was iven to them by the will of Lord Dunboyne, who ad been a bishop in the Roman Catholic Church, nd afterwards became a Protestant, and that it as granted for the special purpose of educating hildren for the Roman Catholic priesthood?—o; but I am not surprised to hear it, because y strong impression is, that gifts to support a cular priest are perfectly valid.

057. But there were gifts for education in oth cases?—Of secular priests. I can refer you to a case where that was held, the case of the Attorney General against Gladstone, a recent case decided by Vice Chancellor Shadwell, and afterwards by Lord Lyndhurst; the gift seems to have been for the education of Roman Catholic priests.

4058. Mr. *Newdegate.*] You have stated that you think it is possible that it might be advantageous that the law against superstitious uses should be repealed; are you aware that one of the principal objects of the Statute of 1860 was to enable the Charity Commissioners and the Court of Chancery to purge any deeds that might be submitted to them by trustees from any taint on account of their offending against the Statute which is against superstitious uses?—I am aware that there is a very important clause, or a clause of great apparent importance (for it has never been used) in that Act, which seems to me to be made in favour of the Roman Catholics. The provision is, that the appearance of a superstitious use as one of the objects of a gift shall not invalidate the whole gift; but that it shall be in the power of the tribunal, to whom the power is committed, to apportion the property between the superstitious use and the good uses, and then to declare new uses in lieu of the superstitious use.

4059. That is a very important power, is it not?—It might be, if it had been used, but it has never been used.

4060. The power is important, whether used or not?—It is a considerable power.

4061. Then are you not aware that the Legislature has held that the objection to devises or gifts of property for the purpose of maintaining those who will professionally pray for the dead, is that, whereas the dead die once, this use may go on for ever in violation of the principle of the law of mortmain?—I do not know what the view of the Legislature was, but I am quite aware of the importance of the principle that you are adverting to, and, to my mind, it is a principle against the permanence of all endowments, and does not affect one more than the other.

4062. It is a principle that has been repeatedly recognised by the laws of this country, both before and since the Reformation, has it not, that endowments which will maintain persons professedly for the purpose of saying prayers for the dead are apt more than others to tend to violations of the law against mortmain?—I am not aware that that is the principle on which they were held illegal. I think not. I think it was a change of theological view.

4063. Are you aware that previous to the Reformation many of the oratories were suppressed?—Yes, I am perfectly aware of that; they were great objects of hostility.

4064. You are aware that that was one of the earliest proceedings towards the re-assertion of the principal of mortmain by the State?—No, I do not think so; I do not think that it had anything to do with the law of mortmain.

4065. Are you aware that these oratories were suppressed under the brief obtained by Cardinal Wolsey, in the reign of Henry the Eighth?—No; I fancied that, besides Wolsey's brief, their suppression was authorised by an Act of Parliament; and with great deference, I think that Wolsey did a very illegal act, and that he, and those who acted under him, were liable to be hung if they did that without an Act of Parliament.

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4066. You are not aware that the suppression of the oratories and smaller convents was accomplished by the authority of the Crown in support of a brief obtained from the Pope of Rome?—No, I am not; it may be the fact, but my strong impression is, that there is an Act of Parliament for the purpose; and I think that I can find it if I have time to look for it; but I have no doubt that you have looked into the matter, and know it more accurately than I do. You are right, I believe. The Act I was thinking of is that of 31 Hen. 8, c. 13, which I thought had extended to all the irregular transactions between the religious houses and the Crown, but it does only extend back to the year 1535. The view here expressed of the illegality of Wolsey's conduct was shared by the lawyers of the day and by subsequent writers. One of the general accusations against Wolsey is, that he endeavoured to govern without Parliaments (Burnet's Ref. vol. 1, part 1, p. 15). And one of the points on which he was impeached was this very practice of procuring Bulls from Rome (Ibid., p. 161).

4067. Mr. *Bourke.*] Do you know an Act of 1 Geo. 1, s. 2, c. 50?—No, I never saw that Act.

Monday, 25th July 1870.

MEMBERS PRESENT:

Mr. Thomas Chambers.
Mr. George Gregory.
Mr. Newdegate.
Sir John Ogilvy.
Mr. O'Reilly.
Mr. Sherlock.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Mr. CHARLES EDWARDS FREEMAN, called in; and Examined.

Mr. *C. E. Freeman.*
25 July 1870.

4068. *Chairman.*] I BELIEVE you are acting as Solicitor for a community or religious society in the neighbourhood of Windsor?—Yes.

4069. What is the description of that society?—It is called the House of Mercy; but the religious part of the society is called St. John's Sisterhood, that is, the Sisterhood of St. John the Baptist.

4070. Where is the House of Mercy situated?—At Clewer, near Windsor. There are two institutions in one. The House of Mercy is an institution for the reception and restoration of fallen women, and the work of the house is done by the Sisters of St. John the Baptist, who are a religious sisterhood in connection with the Church of England.

4071. And who live in the neighbourhood?—In the house, at least a portion of them. About 20 of the sisters live in the house, and there are about 80 altogether.

4072. How is this community composed?—The community is composed of the warden, superior, and sisters. There are two orders of sisters, choir and lay sisters, and sisters of the second order.

4073. Are they all ladies? — They are all ladies, except the lay sisters.

4074. What is the meaning of the term warden?—The warden is a clergyman of the Church of England.

4075. And is the minister of a neighbouring parish?—Yes, he is the rector of the parish of Clewer, the Rev. Thomas Thellusson Carter.

4076. How long has this society been constituted?— The society has been constituted, I think, about 18 years.

4077. How is it maintained?—The House of Mercy is maintained by voluntary contributions; the sisterhood by the sisters. There are some funds invested for the benefit of the sisterhood.

4078. Were there funds raised before the establishment?— No, none. They have all been given since by sisters.

4079. Were these persons ladies of independent fortune originally associated together?—I do not know that they had independent fortunes; some of them had means and some had not.

4080. But since they have been established they have acquired property?—Yes; the sisterhood has.

4081. Have you any objection to state whether they possess land?—I have no objection at all. The House of Mercy and the adjoining land belongs to the trustees of the House of Mercy. There are also some trustees who have some land belonging to the sisters.

4082. Do you distinguish the sisters from the rest of the community?—I distinguish the sisterhood of St. John the Baptist from the House of Mercy. Property is held for each institution.

4083. Are they different trustees?—They are different trustees. The warden, superior, and treasurers are the trustees of the sisterhood; and the trustees of the House of Mercy are different persons, and they are trustees only.

4084. These trustees hold the land for the purposes of the society, I presume?—Yes, for the purposes mentioned in the statutes and rules of the society.

4085. They have rules?— The sisters have rules, and the House of Mercy has statutes of its own.

4086. And do these rules and statutes set forth the purposes of this community?—Yes.

4087. And the obligations into which they respectively enter?—Yes.

4088. Are they private, or are they known?—I believe that the rules of the sisterhood are private, but the statutes of the House of Mercy are privately circulated.

4089. Are they printed?—Yes.

4090. If we required it, could we see them?—Yes, I could send the Committee a copy if they required it.

4091. Who has drawn up these rules?—The statutes of the House of Mercy were drawn up by the council, or by some barrister, on behalf of the council; the rules of the sisterhood under the directions of the warden.

4092. Are they submitted to any ecclesiastical authority?—Yes, the bishop is visitor.

4093. What bishop?—The Bishop of Oxford; the late Bishop of Oxford was visitor.

4094. Mr. *Newdegate.*] Is the present Bishop of Oxford visitor now?—Yes, the present bishop is visitor, and he has approved of the late statutes, which were altered whilst the late bishop was bishop of the diocese.

4095. *Chairman.*] The visitor approves these rules, which are secret, as I understand you?—I do not know that they are secret; they are private documents, but I do not think that they would object to the Committee having a copy.

4096. Do they contribute anything?—Each sister who is able to do so, contributes 50*l.* a year, but if a sister is unable to contribute that herself, that sum is made up out of the community fund for her.

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4097. Do I rightly understand that they give up nothing on entering the community?—They give up nothing on entering; they make arrangements for the disposing of their property, and they do not deal with their money after entering the institution.

4098. On entering they make a disposition of all property that they have, or expect to have?—They do not make any legal disposition of it, but there is an understanding that as they receive money, so it is disposed of. The 50*l.*, or whatever annual sum the sisters may arrange to contribute, is paid into the fund, and is disposed of according to the directions of each sister.

4099. They are not under any obligation to pay to the common fund, whatever they may receive after joining?—No.

4100. But is it the arrangement, or one of the rules, that they shall not hold any property for their own benefit?—Yes.

4101. Is it like a declaration or vow of poverty?—Yes, no doubt, but the sisters take no life vows.

4102. They take no formal vow, binding themselves to poverty?—There are no formal life vows.

4103. But it is understood that they shall not employ any moneys or properties that they may receive for their own purposes, after they have joined?—Yes.

4104. But with respect to their actual disposition of that the sisterhood have nothing to do?—Nothing whatever; of course the sisters can, if they think fit, give more than the 50*l.* a year to the common fund, and some do, I believe.

4105. Are there various modes of living within the society?—No.

4106. It is a common life for all?—Yes.

4107. And has the superior contributed more than the rest, or had she anything to do with the original foundation?—Yes, I think she had; she has contributed more than some other sisters.

4108. Has she any power over the common fund?—None whatever; it is in the hands of the council of finance.

4109. And it could not be used for any purpose without the assent of the council of finance?—No.

4110. What is that council of finance composed of?—It is composed of the superior, the assistant superior, and five sisters, who are elected annually.

4111. And there is no money belonging to the community that is spent without their sanction?—None whatever.

4112. They derive their income from contributions?—From contributions of the sisters, and from other contributions.

4113. Are those persons who annually subscribe to the support of the society ascertained?—No, I know of no list of them; there is a private list of the subscribers to the House of Mercy.

4114. But the society receive voluntary gifts?—Yes.

4115. And property which was bequeathed to them by will would be bequeathed to the trustees?—Yes, to the warden, superior, and treasurers.

4116. Have you had any instance of bequests made to the society itself?—None to the sisterhood of St. John the Baptist; there have been bequests made to the House of Mercy.

4117. And in those terms?—To the trustees of the House of Mercy, for the purposes of that institution. There is a form of bequest at the end of the statutes.

4118. But whoever might have been the testator, he was aware of that form, and the will was made legally?—Either he was aware of it, or else he laid down the trusts according to his own idea in the will.

4119. But if a bequest was made to the society itself, could it be enjoyed and taken without any reference to trustees, or to particular individuals to hold in trust; what would be your view of a bequest of that kind to that society?—I am not sure how far the society itself has any legal standing whatever. I take it that it must be left to the trustees for the benefit of the society. I do not know how the society could give a receipt for the money.

4120. You do not know of an instance having occurred in which that question was raised?—I do not.

4121. Has this society any charter?—None whatever.

4122. Has it applied, or does it contemplate applying, for a charter of incorporation?—I have not heard that it does.

4123. Would there be any convenience to it in having one?—No doubt.

4124. Would it be chiefly a convenience for the purpose of receiving property?—Yes; and it would be convenient, of course, to avoid the appointment of new trustees on the death of trustees, or any change.

4125. What is the number of trustees?—I think that there are four; the bishop is one.

4126. Are they all ecclesiastics?—No; Mr. Gladstone is one, the Bishop of Winchester, the Rev. Mr. Coleridge, and the Rev. Mr. Carter.

4127. And is that number kept up?—If one were to die there would be a new appointment.

4128. Do the rules stipulate that there are not to be less than three trustees?—There is no stipulation of that kind in the statutes, but the council would not allow the funds to be in the hands of less than three.

4129. Do they hold absolutely the land that has been conveyed to the society?—Yes, these trustees hold some land in particular in the Isle of Wight, and also the Clewer House of Mercy. "To the trustees, their heirs and assigns for ever" as to the Clewer House of Mercy, "upon trust for the benefit of this institution;" and the same as to the land in the Isle of Wight. There is some other land which is held by the same trustees for the benefit of a convalescent hospital, called St. Andrew's Hospital, close by the House of Mercy, and in that case the property is vested in the trustees, and there are no trusts declared.

4130. And in what way are the proceeds of that property applied?—They are applied to the reception of persons who come from the hospitals before they are completely recovered; they stop there a certain time for the partial recovery of their health, and then they go back to their friends.

4131. And who has the application of that money?—The application of the money is in the hands of the council of St. Andrew's Hospital.

4132. I understand that the property, in the first place, is conveyed to trustees?—The hospital is conveyed to the trustees of the House of Mercy, no trust being declared. That hospital does not belong to the Sisterhood of St. John the Baptist, but to the House of Mercy.

4133. Who

4133. Who apply the proceeds; the trustees or the council?—The council apply the proceeds. The cheques are drawn by the treasurer, I believe, but the accounts are submitted to the council, and they approve of what has been done from time to time.

4134. Is there an annual publication of the accounts?—Yes; I have one here.

4135. Is there any auditor of these accounts?—They are audited by two members of the council, who are not treasurers.

4136. That is to say, the accounts are submitted to the council, and audited by the council?—They are audited by two members of the council previously to the meeting of the council, and then they are submitted to the council itself.

4137. This is a society for religious purposes?—No, for purposes of mercy and benevolence. In regard to St. Andrew's Hospital, the council are all to be communicants of the Church of England.

4138. Is it in the rules or statutes that they must belong to the Church of England?—Yes; it is in the statutes; they must be half clergymen and half laymen.

4139. What council are you now speaking of?—Of the council of the House of Mercy, and of the council of St. Andrew's Hospital, which is different, although some persons are members of each council.

4140. I thought you said that the council consisted of five sisters?—That is the council of the Sisterhood of St. John the Baptist, which is a separate thing entirely.

4141. Is there any rule which precludes their changing their views on the subject of religion, or as to the forms of worship?—I do not know that there is, any more than that they are to be communicants of the Church of England. The warden must be a priest of the Church of England.

4142. But if they chose, and were so minded, they might change their persuasion, I suppose?—No, I should say not; I think the rules would prevent that entirely; it is strictly a Church of England institution, there is no doubt.

4143. Would the bishop have any authority to interfere?—Yes, because certain rules are defined as being fundamental, and the fundamental rules cannot be altered without the consent of the visitor, who is the bishop.

4144. And is it one of the rules that the visitor or the warden must be a bishop of the Church of England?—No; whenever there is a vacancy in the office of visitor, it is to be first offered to the bishop of the diocese; if he will not take it, then they would appoint some other visitor. The warden must be a priest of the Church of England.

4145. You might have, as visitor, a Roman Catholic bishop, if the bishop of the diocese did not take it?—Certainly not; I should say that that would be quite impossible according to the rules and statutes. The preamble to the statutes provides distinctly and expressly that the institution is to be preserved "always unchanged and inviolate, and conducted and carried on in accordance with the true Christian faith as it is set forth in the doctrine and discipline of the Church of England."

4146. That question has not arisen yet?—No.

4147. You did not state the amount that was invested, I think; can you tell us what it is?—I think it is about 3,000 *l.* belonging to the community fund, that is to the sisterhood. Then there is some 500 *l.* or 600 *l.* belonging to the House of Mercy, and also an estate of life in the Isle of Wight, worth about 400 *l.* or 500 *l.* principal, which brings in about 24 *l.* or 25 *l.* a year.

4148. Does this estate gradually increase?—No, I think not. Of course, by gifts it would do so.

4149. But there is no limit to the amount that they could receive if more was offered?—No; if it was given, there is no limit.

4150. No arrangement about poverty precludes their receiving any amount by gift?—It would prevent individuals from receiving it.

4151. Are they put to great expense in the works that they are in the habit of performing?—Yes, great expenses are incurred; but whatever expenses are incurred are paid by the community.

4152. But did you mean the Committee to understand that there was any hospital, or any number of sick, that they attend?—Yes; there is a convalescent hospital.

4153. Is that supported at their expense?—No; that is a separate institution entirely; it is supported by voluntary contributions, but there is a yearly deficiency of a considerable amount, from 400 *l.* to 500 *l.*, which is made up out of the Community Fund of the sisterhood.

4154. What connection is there between the sisterhood and such a hospital as that?—The sisterhood do the work in it, and attend the sick who are there.

4155. But do they attend to them as sick, or do they attend to afford them religious consolation?—The warden attends to the religious duties of the hospital; there are services in the hospital conducted by the warden and sub-warden of the House of Mercy.

4156. There are no religious offices that this sisterhood performs?—Not in connection with the patients.

4157. In connection with the poor in the neighbourhood?—Yes; no doubt they visit the sick in the parish.

4158. Do you mean, not to administer medicine, but to communicate with them as religious people?—Under the direction of the clergy of the parish; it is one of the express rules that the sisters must work under the direction of the clergy.

4159. Could not they visit the sick or poor without the leave of the clergy?—No; nor without the leave of the incumbent of any parish into which they might go.

4160. That is a rule which they have bound themselves to obey?—Yes.

4161. If they were so disposed, I presume, there would be nothing to prevent their visiting whom they liked?—The rule would prevent their having any regular visitation in any parish without the consent of the clergyman of the parish.

4162. They only visit Protestant sick, I suppose?—They visit anybody, I suppose, with the consent of the clergy. I do not know why you should confine what they have to do to Protestants.

4163. Could they visit the poor of any other persuasion than their own?—No doubt.

4164. And you believe that they do so?—I have no doubt about it. They would visit anyone who was sick or distressed.

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4165. I believe this institution is frequently visited by people for the purpose of seeing it?—Very commonly.

4166. There is nothing secret about it?—On the contrary, the superior and the warden would be very anxious that everybody should know all about it.

4167. Are they chiefly persons of a certain age, or what are called elderly ladies that live in this society?—I think they cannot join until 30 without consents of parents.

4168. But I suppose there is no limit as to age; there are old and young?—There are old and young, but most of the old ones have been there a good many years.

4169. I suppose any of the sisterhood might withdraw when they chose from the sisterhood?—The sisters take no vows. I do not know whether they feel that they would be at liberty to withdraw whenever they chose.

4170. I think you said that they could not take away any property that they brought in?—They do not bring in any property above 50 *l.* a year each, or such other annual sum as each may arrange to contribute.

4171. But they would be allowed to give offerings to the community if they chose, would they not?—No doubt.

4172. But anything of that sort so given could not be taken away by a sister withdrawing?—It would be all spent.

4173. Do you mean that when any sum is given to this community they immediately spend it?—That is the custom. There is about 3,000 *l.* invested now, as I told you.

4174. But there is nothing to preclude further investment, is there?—Nothing whatever.

4175. And I suppose the land was purchased by moneys contributed in some way?—The land was purchased by moneys contributed by the public and the sisters.

4176. Have they a chapel inside the institution?—Yes.

4177. They do not attend any neighbouring church?—No, the sisters generally attend the services at their own chapel; some few go to the parish church.

4178. That chapel is a regular church, I suppose, and has been consecrated?—I am not sure whether it has been legally consecrated; I suppose it has.

4179. Do people come from without to attend it?—No, it is a private chapel; I think now it has not been legally consecrated.

4180. Are the services performed by the warden?—By the warden and the sub-warden.

4181. The sisters do not superintend any schools, I suppose?—Yes, several schools, all over England.

4182. These sisters then do not always dwell at Clewer?—Not the whole of them; there are about 20 in the house generally.

4183. Do you know what the whole number is?—Abont 80; 48 or 49 choir sisters.

4184. Then there are about 30 generally away?—Yes.

4185. And how would you generally describe their business when they are away?—They are engaged in works of mercy in England and abroad.

4186. Have they any branches in communication or correspondence with them?—Yes, several.

4187. In England, or out of England?—Both.

4188. Is this Clewer society the parent society?—Yes, that is the chief house.

4189. Would you have any objection to tell us where these branches are?—No; they have at Clewer, besides the hospital which I have explained to you, and the House of Mercy, an orphanage, which is for the reception of 25 orphan children, and 20 industrial girls; and they have a cottage, which they call St. Andrew's Cottage, which is on land immediately adjoining the hospital, where they receive a few invalid ladies whose means do not admit of their obtaining change of air for their health; also almshouses for 12 aged persons to reside in permanently.

4190. That is a distinct building?—That is a distinct building; they receive 10 there.

4191. Does any sister dwell on those premises?—Yes; then they attend to the schools at St. Stephen's Mission, which is in Windsor, in the immediate neighbourhood, in the parish of Clewer, but in the town of Windsor; and they also work St. John's School, at Bloomfield-place, Pimlico.

4192. What school is that?—That is a school for the children of the clergy and professional men.

4193. Not for poor children?—Not for poor children; they have a day-school also in Pimlico; and then they have an orphanage, St. Barnabas' Orphanage, at 7, Bloomfield-place, where they receive 30 children, and train them as servants or school teachers, the children paying 10 *l.* per annum each.

4194. Are these schools inspected, do you know, by the Government inspector?—I do not know that.

4195. They do not receive any portion of the education grant?—No, none whatever.

4196. Is there any visitor to these schools?—They are all under the clergy of the parish.

4197. They would be under the clergy of St. Barnabas?—Yes, or of any other parish in which the several schools may be situated. And then they have a mission in Rose-street, Soho-square, and an orphanage for 30 children.

4198. What is precisely a mission?—They are there for visiting the poor and sick; the sisters live in a house there, and visit the poor and sick in the parish.

4199. That is the establishment they have in that part of the town, and so many sisters live in it?—Yes, and they train 34 girls for servants who pay 12 *l.* per annum. Then they have some schools called St. Mary's Schools, at Rydal House, Folkestone, but these have been discontinued, and another Church of England sisterhood works there.

4200. What children do they train there?—It is a day-school, and the children pay four guineas per annum, and there are a few boarders at 25 guineas each.

4201. There are sisters there too, I suppose?—Yes. Then they had a mission-house in Radnor-street, Folkestone also, now given up; and they manage the Bovey Tracey House of Mercy, in Devonshire.

4202. What is the Bovey Tracey House in Devonshire?—It is a house of mercy similar to the house of mercy in Clewer.

4203. How many sisters dwell there?—I think there are only about 10 sisters there. The house was built to hold 70, but the funds only admit of their taking in 31.

4204. Are these branches maintained by the sisterhood of Clewer, or are they self-supporting in

the districts where they exist?—They are ly self-supporting in the districts where they t; the persons who have to do with them are onsible for them. The sisterhood often make deficiencies.

205. Have the sisterhood any other institu- in any other part of England?—Yes; St. hael's House, at Torquay, which is a con- scent home, something similar to the hospital lewer; that is for women of good character vering from sickness, or delicate persons want sea air; they pay from 5*s.* to 8*s.* kly; and they also work at the House of rity in Soho-square.

206. What is the House of Charity?—It is nded to afford temporary board and lodging persons who may be in London, and need it; ants out of employment, and anybody who want a night's lodging or board would be to go to the House of Charity and get it.

207. Are there particular rules for each of these nch establishments?—Yes, rules of their own.

208. Rules that have been drawn up by the ent society?—No; the rules regulating the duct of the sisters in the branch establish- nts, of course, are rules of this society; but rules relating to the institutions themselves , I suppose, made by the persons interested them, and who have got them up.

209. But those persons are the sisters, are y not?—No; the Bovey Tracey House of rcy, and some of these other institutions, were ginally begun by some persons interested in neighbourhood, and the sisters go there to rk and manage them.

210. Do these persons apply to the society at wer, and ask for the attendance of these ers?—Yes.

211. And is that given gratuitously on their t?—Yes.

212. And in all these societies you say there he security of the parish clergyman for their ng brought up in the doctrines of the Church England?—Yes; they cannot work in any ish without the consent and direction of the umbent of the parish. There is another insti- ion, the Oxford Female Penitentiary, at Ox- l; that is a similar institution to the House of rcy. Then there is a new mission recently ened in Baltimore, in America, about which I w very little at present.

213. Mr. *O'Reilly.*] Is that the only one out England?—Yes.

214. *Chairman.*] Are you able to give us information about that?—No; three or four ers are gone out, but there is nothing which nade public at present, as to what their work There is a house there for them, for an hanage, and they are going out to work in similar way to what they do in parishes in gland.

215. You say that that will be a similar insti- ion; you mean also a Protestant institution? An institution under the direction of the iscopal Church in America, I suppose.

216. Would it be the institution in Baltimore t would pay the expenses of these sisters ng out from England?—Yes.

217. How long is it since they have gone to ltimore?—I think that they sailed about two nths ago.

218. Do the sisters attend any of the societies the Continent?—No, I think not; it is con- ry to the rule to attend any other sisterhood.

219. Then Baltimore is an exception, because that is out of their country?—But the church in America is in communion with the churches of England.

220. I suppose that, so far as being Protestant goes, there are plenty of churches on the Continent that are so?—I am not sure that I quite understand the meaning of the words "so far as being Protestant goes."

221. But what is it that you exactly mean by the Church of England being in communion with the church in America?—I mean that the Episcopal Church in America and the Church of England are in communion with each other. But I take it that Calvinistic sects, or other Protestant sects, are not in communion with the Church of England, but they would be included under the denomination of Protestant.

222. And the sisters would object to act with any Protestant institution that did not connect itself with the Church of England?—They would object to any institution that did not connect itself with the Church of England.

223. Not merely must it be episcopal, but it must be connected with the Church of England?—It must be in communion with the Church of England.

224. Has this institution any connections in Scotland?—No.

225. Mr. *Newdegate.*] I believe the Lady Superior is Mrs. Monsell?—Yes; the Honourable Mrs. Monsell.

226. Who is the assistant warden?—The subwarden is the Rev. William Henry Hutchings.

227. You say that the sisters have some property of their own?—Yes; some of them have.

228. And you will put in a copy of the rules?—I will obtain a copy of the statutes; that is what I offered to put in, and not a copy of the rules of the institution; I have no doubt that there would be no objection to put in a copy of the rules; but I will inquire.

229. Are you aware that there is an establishment in Margaret-street, Cavendish-square?—It is called All Saints' Home.

230. Is that in connectien with Clewer?—No; it is a separate institution.

231. I suppose that these rules are virtually the constitution of the society; they contain the constitution of the society?—The rules of the sisterhood are, and the statutes of the House of Mercy are, the rules of that society.

232. But the rules form the constitution of the society?—Yes.

233. Are you aware whether there is any declaration made to observe these rules?—Yes; there is a promise made in the chapel.

234. And is that of the same nature as this: "We the undersigned do hereby severally agree to be bound by and observe all and every the statutes and rules of the society of the sisters established by the foregoing deed, so far as the same are applicable to us respectively, God being our helper"?—Yes; I think I have a copy of the rules relating to the community fund which I can give the Committee now; that is simply in relation to the property of the sisters.

235. What I wish to know is, what is the declaration of adhesion to contract; is it by declaration or by signature?—Both.

236. I have read a declaration to you; is it analogous to that?—It is something similar. I have not a copy of the rules here; but I know that each sister signs the regulations as to the

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community fund. The formal declaration by word of mouth is made in the chapel; the question is asked, "Will you observe the rules and regulations of this institution?" Then the answer is made *vivâ voce*. I am not certain whether there is any formal declaration attached to this document containing the rules of the community, but there may be; at any rate, the sisters sign it.

4237. You will ascertain that and let the Committee know?—Yes.

4238. Is there any branch in Wales?—No, I think not.

4239. Hitherto there have been two visitors, both bishops?—Yes.

4240. But you state, I think, that the rules have been altered since the present bishop undertook the task?—No; they were before the time that the late Bishop of Oxford was translated, and the new bishop undertook the office of visitor.

4241. Then in the change there was an alteration of the rules?—Yes, which the new bishop approved, as well as the late bishop.

4242. I think you said that this institution could not properly be termed Protestant?—No, I did not state that. I intended to find fault with the term as applied to the Church of England.

4243. Then, according to your understanding in the evidence that you have given, the Church of England is not Protestant?—Certainly that is my understanding generally. When I say that I do not consider that it is Protestant, I am not sure that I quite understand what Protestant means. If Protestant means protesting against the doctrines of the Church of Rome, then, I suppose, that there are some doctrines of the Church of Rome which the Church of England protests against, and to such an extent it may be Protestant.

4244. *Chairman.*] Are those the views of the sisterhood?—I do not know. I have never compared my views with those of the sisterhood. But there is not a word in the Prayer-book to show that the Church of England is Protestant.

4245. Mr. *T. Chambers.*] I understand you to say that there are no vows taken in this community?—No vows are taken.

4246. But you mentioned a promise made in the chapel?—Yes.

4247. Is that promise made in connection with a religious service?—Yes.

4248. On the entry of a sister into the sisterhood?—Yes.

4249. You said that you would furnish us with the terms of that promise?—Yes. In answer to questions of the sister as to her keeping the rule of the sisterhood, &c., the answers are, "I will do so, God being my helper," or to that effect. Some sisters do not sign the rules of the sisterhood, only the regulations as to the community fund.

4250. You draw a distinction between a promise made in the course of a religious service in the chapel on entering the sisterhood, and what you understand by a vow?—When I say that there are no vows, I should probably say that there are no life vows; that any sister is at liberty to leave the institution at any time.

4251. I understood you to express a doubt in answer to the Chairman, on the point whether a sister could leave the institution?—I think I did not express any doubt.

4252. The substance of your answer, as I took it down, was, "I do not know whether the siste could withdraw"?—That is as to money.

4253. Then there would be no difficulty in sister leaving the institution at any time?—N it is one of the fundamental statutes.

4254. And therefore she promises to obser the regulations so long as she continues a memb of the society?—Yes, but the promise is not qualified.

4255. That is distinctly understood?—That one of the statutes of the institution.

4256. Have you known any instance?—No.

4257. Mr. *Newdegate.*] Was there ever an e tablishment at Bristol or Clifton?—No, I thi not; not in connection with this institution.

4258. *Chairman.*] Have you had any questi with respect to the nature of bequests or gi made to this institution as to whether they a to be considered as charities?—No.

4259. Would a bequest to the institution f any object that the institution has in view, considered charity?—Primarily not, I shou think; because the first object to which the co munity fund is applicable, is the maintenance the sisters, that being provided for for objects benevolence and mercy, connected with t Church of England, in the discretion of t council.

4260. Would a gift for the maintenance the sisterhood be considered a charitable use?— think not.

4261. You would not consider that within t jurisdiction of the Charity Commissioners, wou you?—I have never considered so.

4262. Mr. *Sherlock.*] Is not the entire life these ladies devoted to works of charity a mercy?—Entirely.

4263. They visit the sick?—Yes.

4264. They teach the ignorant?—Yes.

4265. And they instruct in religion?—Yes.

4266. They devote their lives to these object —Entirely.

4267. Is not the institution, and the suppo of the institution, supporting works of charity? Entirely.

4268. Now, is it your opinion, as a lawyer, th if there were a bequest to this institution, t executor could not hold it, and put the mon into his own pocket?—Certainly not.

4269. The sisterhood consisting of ladies w devote their lives to these particular works charity, is it your opinion that the executor w by the terms of a will was bound to pay over this institution, thus formed, a sum of mon could put the money into his own pocket?—N

4270. Would not the Court of Chancery int fere?—Yes, unquestionably.

4271. And the question of trustees would b mere mechanical mode of carrying out the inte tion?—Yes.

4272. Therefore, practically, there is no dang of any funds being misappropriated?—No whatever.

4273. *Chairman.*] You have no communicati which you wish to make to this Committee on t subject of this institution?—No, I think no nothing occurs to me at present.

4274. Mr. *Newdegate.*] Will you send t rules of the sisterhood?—Supposing the super does not object to it, I will send them with statutes. I have no doubt whatever that th will not be the slightest objection to send both.

Mr. EDWIN FOSTER, called in; and Examined.

4275. Mr. *Newdegate.*] I THINK you are engaged in the building trade, and live at Abergavenny?—Yes.

4276. And I understand that you are at present engaged in erecting a monastery at Chapel-y-fin, about 14 miles from Abergavenny, for the Rev. Mr. Lyne?—Yes.

4277. You say that this is a monastery; can you produce the plans which will show that it is a monastery?—It is called a monastery by the architect (*producing the plans*).

4278. I think that this part (*pointing to the plan*), which is at present incomplete, will eventually be a part of the cloisters, will it not?—Yes.

4279. And that is a complete plan, as it is hereafter to be carried out?—Yes.

4280. *Chairman.*] I understand that you have a contract with certain parties for building a monastery, and this is the plan of such an institution?—Yes.

4281. Mr. *Newdegate.*] You have been in correspondence with the Rev. Mr. Lyne?—Yes.

4282. And he does not sign by his own name, but he signs himself "Ignatius, O. S. B.," does he not?—Yes.

4283. What do you understand by O. S. B.?—Order of St. Benedict, I understand it to mean.

4284. Were you present when the foundation was laid?—Yes.

4285. Was there any ceremony?—Yes, there was.

4286. The Rev. Mr. Husbands was present, was he not?—Yes, the Rev. Mr. Husbands was present, and two other monks, besides the Rev. Mr. Lyne.

4287. And they used ceremonies and incense?—Yes.

4288. Do you know to whom the property upon which this building is erected now belongs?—I do not; I supposed at the time that I was engaged to build the abbey, that it belonged to the Reverend Joseph Leycester Lyne; he had bought it of Mr. Dod.

4289. Mr. Dod has still some property adjoining?—Yes.

4290. And sold this for the purpose?—For the the purpose of building this monastery.

4291. But you do not know to whom?—No, I do not know; I have since been told that it was in the name of some lady.

4292. You have received a considerable sum, and there is some money still due to you?—Yes.

4293. But you have not given up possession of the building?—No, not given up possession; we have not finished that portion yet.

4294. *Chairman.*] Do we rightly understand that you have made a contract with the Reverend Mr. Lyne for the purpose of building a monastery?—That portion of the monastery.

4295. Was there a building there already?—No building at all.

4296. Then somebody else was to complete it?—No, we do not know who will finish it.

4297. Were you engaged to erect a portion of a building?—Yes.

4298. And somebody else, or you yourself, were at some time to complete the rest?—Yes, so I understood, if the funds came in.

4299. If the funds came in it would be finished?—Yes.

4300. That has not been the case, I believe?—That has not been the case as yet; at least I do not know how that matter is.

4301. Did you devise the plan for the monastery, or did you receive it from the Reverend Mr. Lyne?—I received it from the Reverend Mr. Lyne; the plans were made by a Mr. Buckridge.

4302. After some model now existing in this country?—Yes, the ancient abbey of Lanthony.

4303. Is that near to this site?—About four miles from it, and ten miles from Abergavenny.

4304. Is it an institution now existing?—No, it is a ruin.

4305. You were to build this after that model, and this was your plan which you submitted upon those instructions?—No, the architect gave me this plan; Mr. Lyne furnished me with the plan; the plans were furnished by an architect; I am a builder.

4306. You gave a description of the ceremony at the foundation of this place; were you present?—I was present.

4307. What sort of ceremony was it?—There was incense burnt, and a lighted candle in a lantern, and a cross carried before it.

4308. What time of the day was that?—About three o'clock; I forget exactly the hour, but somewhere near to that.

4309. What were the candles for?—I do not know; it was emblematic, I suppose.

4310. Were there great numbers that attended?—No, not a great many in attendance, only a few besides the workmen.

4311. Was much notice given of it before the ceremony began?—No, it was not generally known; and that is the reason, I think, that there were not very many people there.

4312. Was the Rev. Mr. Lyne there himself?—Yes.

4313. Had he any particular dress on?—Yes, his cowl and a kind of cassock.

4314. There were two other persons whom you named that you called monks, were they dressed in the same way?—Yes.

4315. Is that the only reason why you call them monks?—They are called monks. The Rev. Joseph Leycester Lyne called them monks, and that is the reason that I call them monks. One is called Father Philip, and the other Brother Serene.

4316. Are we to understand that they call themselves monks?—Yes.

4317. Are they clergymen?—I do not know what the monks are.

4318. Was there any service performed upon this occasion?—There were merely some prayers read, and something like hymns chanted.

4319. Now, as far as we understand you, you have begun your contract; you have commenced the building, but you have not completed what you undertook to do?—No.

4320. I do not think that you stated the why you had not?—We are going on with it now; it is being done as fast as we can get it done.

4321. Then there is no want of means?—No, not that I am aware of. That is not the reason why it is not being carried out. It is being carried out as fast as we can do it.

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4322. Then there is no difficulty about it?—Not that I am aware of.

4323. There has been no question who is to pay ultimately if the thing is not carried out?—No. Of course I understand that the Rev. Joseph Leycester Lyne will pay me.

4324. Mr. *Sherlock.*] You are merely contractor for the building?—Yes, that is all.

4325. What is the amount of the contract?—£. 674.

4326. For the whole building?—No, for a portion, merely one side of the quadrangle.

4327. You are only contractor for a portion?—Yes.

4328. Then, of course, you know nothing except from those plans as to who are to inhabit this building?—No; I do not know anything of that.

4329. Are you prepared to say that no part of it is to be a hospital?—I cannot say.

4330. There is a large portion there set aside for a burial ground?—I understand that the monks, when they die, will be buried there.

4331. Who told you that?—It was a remark made by the Rev. Mr. Lyne. That space of 60 feet square is intended for a burial-ground for the monks when they die.

4332. But, of course, no person inhabits it at present; it is incomplete?—It is incomplete.

4333. When did the works commence?—Last February.

4334. When did this sermon that you were present at take place?—It was not a sermon; it was merely an address; it was last February, at the laying of the foundation stone; and the Rev. Mr. Lyne gave an address.

4335. To you and to the two monks who were there?—And to the workmen.

4336. How many workmen were there?—About 20 there.

4337. They had done nothing at that time?—Yes, they had dug out the foundations and prepared a quantity of stone for the work.

4338. The address was delivered to that assembly of two monks, yourself, and the 20 workmen?—And perhaps 20 strangers round.

4339. *Chairman.*] Was there any reporter present?—No.

4340. It did not appear in the papers afterwards?—Yes, it did; some one present, I suppose, reported it; it did get into the papers; several papers contained very lengthy reports of it.

4341. Mr. *O'Reilly.*] Do you know of your own knowledge whether any of these persons are monks or not?—No; I have no knowledge as to that, excepting their own statements.

4342. Do you know whether any of them have taken any vows or not?—I do not know further than what I have heard in the way of rumour; I know nothing more.

4343. Do you know whether any of them are clergymen or not?—I could not say, except as to Mr. Lyne. I am not sure.

4344. In regard to Mr. Lyne, what should you understand by the word clergyman?—I understand that he is a clergyman of the Church of England.

4345. Do you mean a priest of the Church of England?—Yes.

4346. Do you know that?—I do not know, but I have always understood so.

4347. Mr. *Newdegate.*] Mr. Husbands was present, was he not?—Yes.

4348. And officiated as priest, did he not?—Yes; with a white gown on, ornamented.

Mr. Francis Lyne, called in; and Examined.

Mr. *F. Lyne.*

4349. Mr. *Newdegate.*] I think your son is very zealous in the desire to found monasteries, is he not?—Yes.

4350. And he founded one, to your knowledge, in Norwich, did he not?—He made a vain attempt to do so. No person could call it a monastery; it would be nonsense to do so.

4351. How far did those proceedings go; what was the nature of them?—They went to this extent, that he bought a house there, and had certain young men in it under his control, and he gave it the name of a monastery, and he called these gentlemen monks. But those who understand it much better than himself have pronounced it to be altogether a mistake. I could relieve the Committee very much, I think, if I state that there is a gentleman on your Committee who understands the case perfectly. There is also the Member for Norwich, who has worked up this case for me, and understands it perfectly.

4352. Was it Mr. Jessel's opinion that this property was vested in your son, or in whom did he consider it to be vested?—When Mr. Jessel gave his opinion, it was to the effect that it was not vested in my son; subsequently Mr. Tillett proved the reverse.

4353. Then is not your son in possession of this property now?—It is in Chancery now; he claims it.

4354. Has any decision been given upon it?—No, not yet.

4355. The contest is between your son and some persons who now claim the property?—Yes. It is claimed by the Rev. George Drury for himself and his heirs.

4356. To what purpose is this house now devoted?—It has been let for a cheese warehouse, and then it was also let to a lady to preach in.

4357. And the fact is that your son has lost possession?—He has lost possession.

4358. But whilst it was in his possession he called it a monastery, and built a chapel on it?—At his own cost.

4359. And had a certain number of persons there that he called monks?—Yes.

4360. It appears from the evidence of the last witness, that he does not sign his own name, but signs the name Ignatius, with the letters O.S.B.?—Yes.

4361. Does that, according to your apprehension, mean that he is of the Benedictine order?—That is what he himself means, certainly.

4362. But still he considers himself connected with the Church of England?—Yes, and to myself always signs his proper name, because he knows that I prefer it.

4363. Generally, your evidence would go to this, that your son has a strong desire to found what he calls a monastery, that he has lost his property at Norwich, and that you were not aware that he had commenced another building?—No, I was aware of it, though I take no part in it whatever; I could not help knowing it.

4364. The idea seems to be peculiar to your son,

h, that he can found some kind of brotherhood monastic institution in connection with the urch of England?—He has that fancy.

4365. Has he any sanction from any of the shops for that?—No.

4366. Never has had?—Never. I ought to ention that they are extremely friendly and nd to him, and appreciate his zeal very highly; d some of the bishops have allowed him to each in their dioceses, on the condition that nen he does preach, he preaches in a surice, the usual dress. The great objection with e bishops has been his dress.

4367. And I think that your son was ordained the diocese of Exeter, was he not?—Yes.

4368. Having commenced his career under ishop Eden, in Scotland?—Yes.

4369. Is it long that he has been making these tempts to found a monastic order?—Yes, for e last seven or eight years, I think.

4370. Has he induced many persons to join m as monks or brothers?—He has; I call it a arful support.

4371. He has the support of others?—Yes, ry largely.

4372. Are you aware whether these persons ntribute in any way to the undertakings in hich he is engaged?—Yes, they do from time time, largely.

4373. Then I suppose that, in the suit which before Chancery, your son is the representave of others?—No; it is entirely his own proerty. The chapel alone cost him, of his own oney, 1,300 *l.* All the debts I have paid ounting to upwards of 1,200 *l.* And he has id again and again from his pupils that he will ot receive money except on the condition and on he principle that "he is to do what he will with is own."

4374. Then you are not aware that any of those ho have joined the community as monks have ontributed anything?—If I were to say that it ould be only a guess. I have no knowledge.

4375. Are you aware at all of the kind of ngagement that your son has taken towards those ho join him, and of the engagement that they ave made to him?—No. I always set my face gainst it. I do not enter into the subject at all. He is a most admirable son in every possible espect, and I ought, as a father, to be proud of im; but in this one particular we are silent.

4376. *Chairman.*] Do you know whether he as ever taken any legal opinion as to whether he an realise his intention of establishing a monasery in this country?—No; I do not think that e ever has. I do not know but what I may ave heard it said that he could not do it accordng to the present law. I think I have heard thers say so, not himself; but that is merely omething passing through my mind that some ime ago I heard it said it was altogether illegal.

4377. That if he could establish a monastery it ould be illegal?—I think so, certainly.

4378. You say that the bishop's chief objection o his proceedings was the dress he used to wear?—I think so.

4379. And the dress of those associated with im?—It would apply to all, of course. I have ad communication with the late Archbishop of Canterbury about it.

4380. But the bishops did not take any objecion to his building a monastery, or to his proceedings?—They did not make any formal bjection; they could not interfere.

4381. And his doctrines, I believe, were peculiar in certain respects?—They are.

4382. The bishops did not object to those doctrines?—That is more than I can say, in saying that they have been very friendly to him, I only speak of their personal regard and admiration for his zeal. Whether that is a mistaken zeal or not is another question.

4383. He had a cure, had he not, in Norwich?—No.

4384. He was a parish priest there?—He is only a deacon; he has not got priest's orders.

4385. But he used to administer in one of the parish churches in Norwich, or the neighbourhood, did he not?—Not to my knowledge; he acted as a kind of curate for the Rev. Geo. Drury, of Claydon, in the jurisdiction of the Bishop of Norwich, but without a license.

4386. I believe that he had some correspondence with the Bishop of Norwich a few years ago?—Yes, certainly.

4387. Do you remember what was the nature of that correspondence, and what was the object of it?—I think that the bishop inhibited him, and he prevented his preaching in his churches; indeed I know he did, because I remember now that that took place.

4388. Was that owing to his doctrines, or owing to his dress?—Both, I should fancy.

4389. Has he quite left Norwich now?—Quite.

4390. But he has been preaching in London, I think?—He has.

4391. In one of the parish churches in the City?—Exactly.

4392. It was not objected to by any of the bishops?—It was objected to by Dr. Tait, under a mistake, through some particular circumstances not alluding either to doctrine or dress, and Dr. Tait prevented his preaching there; and since then Dr. Tait has allowed him to preach at the desire of General Brownrigge, at Folkestone. The general wished him to preach to the troops, at the Shorncliffe camp, and wrote to Dr. Tait, now Archbishop of Canterbury, and the archbishop said that he might do it in a surplice; and my son did preach, with the archbishop's sanction, not to the troops, but at Hythe, in the church of the Rev. Mr. Sangar, the vicar, who also asked for, and obtained, the archbishop's special permission before my son did preach; and in the church of Mr. Sangar many of the soldiers went to hear my son.

4393. In all essential circumstances you consider him still a member of the Church of England?—Certainly, and that is his boast.

4394. And that hitherto he has been willing to employ his means in erecting monastic institutions, and has failed?—In my opinion, whether he considers what he has done a success, is a matter for himself. I consider it a failure.

4395. You find that he does not act alone; he is encouraged by others, is favoured by the bishops, and has received contributions from various persons?—I do not say that he is favoured by the bishops, only as far as I have told you, namely, that on General Brownrigge applying to the Archbishop of Canterbury for permission to let my son preach to the troops at the camp, the Archbishop gave permission, provided he preached in a surplice. In a neighbouring church my son did preach, but the Duke of Cambridge would not allow him to preach at the camp.

4396. But did any ecclesiastical or civil authority

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rity interfere to prevent his having a monastery?—No, there was no interference in any way.

4397. So that if he had been able to maintain it, or had been more fortunate in those with whom he was associated, he might have received property, and there might have been an important institution founded in the city of Norwich?—Very likely.

4398. And I think you say he is still with others persevering in this endeavour to establish monastic institutions in this country?—Yes, he is, and his congregations are perfectly wonderful; I am told that at Brighton 2,000 people form his congregations.

4399. And his contributions are in some proportion?—They are.

4400. You do not know that there is any sum invested for the purpose of establishing these institutions?—No, I do not.

4401. I suppose whatever is contributed, he applies as he thinks best?—Exactly so; he says from the pulpit that he will give no account of it, but he will apply it as he chooses, and they are to give under those conditions.

4402. Did you hear the evidence of a builder here just now?—I did.

4403. That of which he spoke is the last attempt that your son has made to erect monastic institutions?—Yes, as far as I know.

4404. Mr. *O'Reilly.*] Is your son a deacon or a priest of the Church of England?—A deacon.

4405. Mr. *Sherlock.*] In regard to this suit in Chancery, which you have adverted to, is that to determine the right to the property in question?—Yes; my son claims it, as I tell you, under Mr. Tillett's opinion. He bought it; he built a chapel there, and paid for the chapel, and to his amazament he finds the title-deeds are in another person's name, and that person claiming to be the absolute owner. And this man says now, to satisfy the Court of Chancery, "I took it as a secret private trust for the order." I know all about it; but as I cannot go into particulars here, the less I say of them the better.

4406. As I understand you, the question is still undetermined?—Yes.

4407. And if your son succeeds, he means to devote this building for the purpose of what he considers a monastery?—No; he would sell it, in my opinion, and with my advice.

4408. You have no doubt, however you may have differed from him, as to the excellent intention he has?—It is superior to a degree; I am only sorry that it has taken that direction.

4409. The archbishop seems to have thought him orthodox in allowing him to preach?—I cannot say what he thought; the late archbishop, Dr. Longley, showed a fatherly feeling for him, and would have put a restraint on him if he could; but the bishops have tolerated him, I may say, to an amazing degree.

4410. But the archbishop permitted him to preach, provided he preached in a surplice?—Yes.

4411. Leaving him to select his own views?—Yes.

4412. But the Duke of Cambridge objected?—It was because the Chaplain General of the Forces made an objection.

APPENDIX.

LIST OF PAPERS.

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APPENDIX.

Appendix, No. 1.

PAPER handed in by Mr. *Kingston*, 31 May 1870.

RETURN showing the ENROLMENTS made in the COURT of CHANCERY under the Act of 9 Geo. 2, the MORTMAIN ACT, in the Years 1867, 1868, 1869, and 1870.

YEAR 1867.

NAMES OF PARTIES.	PROPERTY AND ACREAGE.	TRUSTS CREATED.	Date of Deed.	Reference to Roll.
Right Rev. Thomas Grant, of . George's, Southwark, in the unty of Surrey, Roman Catho- Bishop; the Very Rev. James nell, of the same place, clerk; e Very Rev. John Bamber, of rker's-row, Bermondsey, in the unty of Surrey, clerk; the ry Rev. Thomas Doyle, of Old all Green, in the county of ertford, clerk.	- - Declaration of trust relating to premises in Gosport, in the parish of Alverstoke, in the county of Southampton (viz., Nos. 17 and 18, High-street); also a piece of land, containing 2 A. and 4 P. on the west side of Portsmouth Harbour, in the said parish; and also a piece of land, situate and being on the south side of Elson Lane, in the parish of Alverstoke aforesaid, containing 1 A. 1 R. 4 P.	- - Expressed to be held upon trust to use and appropriate the said premises as and for a site for a Roman Catholic Church, for the performance of the worship of the Roman Catholic religion, in such manner as shall be approved by the priest, as shall from time to time be appointed by the said Thomas Grant, or others exercising Episcopal jurisdiction over Roman Catholics in the locality of the premises. Also for a priest's residence. Also for schools for the education of poor children as Roman Catholics and for a residence for the person teaching such children. Also to be let, and the rent paid to the priest at Gosport (after deductions for repairs, &c.), until the aforesaid trusts shall be put into execution.	12 Feb. 1867	Part 29.
ween James Joseph Wheble, of ulmershe Court, Reading, in the unty of Berks, Esq., the Right ev. Thomas Grant, of St. eorge's, Southwark, in the county f Surrey, Doctor of Divinity, nd the Rev. James Danell, of St. eorge's Church, aforesaid, clerk, f the first part; Richard Mills, of ray's-Inn-square, in the county f Middlesex, Gentleman, of the econd part; the said James Jo- eph Wheble, Thomas Grant, ames Danell, and Robert Whe- le, of Pall Mall, East, in the ounty of Middlesex, Esq., of the hird part.	- - Conveyance of all that building used as a chapel, or place of worship, for the Roman Catholic religion, and the ground and soil thereof; and also the then newly-erected dwelling-house adjoining thereto, with other the premises, more particularly described in the plan in the margin of the said recited Indenture of the 11th of March 1841.	- - To have and to hold the said hereditaments unto the said Richard Mills, his heirs and assigns, to the use of the said James Joseph Wheble, Thomas Grant, James Danell, and Robert Wheble, their heirs and assigns, for ever, as joint tenants.	31 Dec. 1866	Part 31
e Right Rev. Thomas Grant, of t. George's Roman Catholic Ca- hedral, St. George's Fields, in he parish of St. George, South- ark, in the county of Surrey, Roman Catholic Bishop; the Very Rev. James Danell, of the ame place, clerk; the Very Rev. Thomas Doyle, of Old Hall Green, n the county of Hertford, clerk; nd the Rev. Simon M'Daniel, of Melior-street, Southwark, afore- aid, clerk, thereinafter the said rantors.	- - Declaration of trust relating to a piece or parcel of land, situate in or near Melior-street, in the parish of St. Olave, in the borough of Southwark, in the county of Surrey, with the church erected thereon, known as the Church of Our Lady of La Sallette and St. Joseph, and the schools also erected thereon, with the buildings and offices to the said church and schools respectively belonging.	- - The property is declared to be held upon trust to be used and appropriated as and for a site for a Roman Catholic Church, for the performance of the worship of the Roman Catholic religion in such manner as shall be approved by the priest, as shall from time to time be appointed by the said Thomas Grant, or others exercising Episcopal jurisdiction over Roman Catholics in the locality of the premises; a priest's residence; schools for the education of poor children (either gratuitously or otherwise), as Roman Catholics; a residence for persons teaching such children; and part of the premises to be used as a cemetery, or burial place for the interment of deceased members of the Roman Catholic Church.	4 Mar. 1867	Part 43.

YEAR 1867—*continued.*

NAMES OF PARTIES.	PROPERTY AND ACREAGE.	TRUSTS CREATED.	Date of Deed.	Reference to Roll.
The Right Rev. Thomas Grant, of St. George's Roman Catholic Cathedral, in the parish of St. George, Southwark, Roman Catholic Bishop, and the Very Rev. James Danell, of the same place, clerk, the Very Rev. John Bamber, of Bermondsey, in the county of Surrey, clerk, and the Very Rev. Thomas Doyle, of Old Hall-green, in the county of Herts, clerk, the grantors.	- - Declaration of trust concerning a piece or parcel of land, part of a larger piece of land, called or known by the name of "Castle Field," otherwise "Tinker's Close," situate in the parish of St. James the Apostle, in Dover, in the county of Kent, as the same abuts towards the south-west on Maison Dieu-road, north-west on Philip Stiff's land, north-east on Harold-street, and south-east partly on land contracted to be sold to John Walker, deceased, and land belonging to Edward Taswell.	- - The property is expressed to be held by the grantors, upon trust to use and appropriate the said hereditaments and premises as a site for a Roman Catholic Church, for the performance of the worship of the Roman Catholic religion, in such manner as shall be approved by such priest or priests as shall from time to time be appointed by the said Thomas Grant, or other the person from time to time exercising episcopal jurisdiction over Roman Catholics resident in the locality of the said piece of land.	12 April 1867	Part 57.
The Rev. Joseph Johnson, of Stonyhurst College, in the county of Lancaster, clerk, the Rev. Wm. Johnson, of the city of Exeter, clerk, and the Rev. Richard Cooper, of the city of Westminster, clerk, of the one part; and the Right Rev. Alexander Goss, of Liverpool, a bishop of the Roman Catholic church, the Rev. James Fisher, of Great Crosby, in the county of Lancaster, clerk, the Rev. John Wallwork, of Liverpool aforesaid, clerk, the Rev. Chas. Teebay, of Liverpool aforesaid, clerk, and the Rev. Thos. Ellison Gibson, of Lydiate, near Liverpool aforesaid, clerk, of the other part.	- - Conveyance, in trust, of two closes or parcels of land, known by the names of the "Nearer Copthurst" and the "Further Copthurst," lying within Whittle-in-le-Woods, in the said county of Lancaster, containing 3A. 15P. of land, be the same more or less, and the messuage or dwelling-house, edifice, chapel (being a Catholic chapel there), buildings, stable, and outbuildings erected and built upon the said premises, or some part thereof.	- - Upon trust to permit the same to be used from time to time by the "Bishop" or other person or persons for the time being having episcopal jurisdiction over Roman Catholics residing at Whittle-in-le-Woods aforesaid.	24 April 1867	Part 60.
George Matthews Arnold, of Milton-next-Gravesend, in the county of Kent, gentleman, of the one part, and the Right Rev. Thos. Grant, of St. George's Roman Catholic Cathedral, in the parish of St. George the Martyr, Southwark, in the county of Surrey, Roman Catholic Bishop, the Very Rev. James Danell, of the same place, clerk, the Very Rev. John Crookall, of Woolhampton, near Newbury, in the county of Berks, D.D., and the Very Rev. Thomas Doyle, of Old Hall-green, in the county of Herts, clerk.	- - Appointment of a piece of land, situate, lying, and being at Upper Stoke, in the parish of Stoke, in the county of Kent, and adjoining the parish churchyard there, containing in front 21 feet 6 inches, or thereabouts.	- - To be used and appropriated as and for a site for a Roman Catholic Chapel.	17 July 1867	Part 111
The Right Rev. James Chadwick, of Newcastle-upon-Tyne, D.D., the Very Rev. Ralph Platt, of Durham, clerk, the Very Rev. Charles Eyre, of Newcastle-upon-Tyne, clerk, the Rev. John Wm. Bewick, of North Shields, clerk, the Rev. Thomas William Wilkinson, of Crook, county of Durham, clerk, and the Rev. George Webb Waterton, of the said city of Durham, clerk.	- - Declaration of trust concerning premises in Bailiff Gate-street, within Alnwick, in the county of Northumberland; also premises in Berwick-upon-Tweed (Church-street); also a plot of ground at Burnfoot, in Wigton, county of Cumberland; also a piece of ground, with the buildings thereon, containing 385 square yards, *et al*, in Darlington, in the county of Durham; also a piece of ground, in the chapelry of Neworth (in the Felling), in the parish of Jarrow, county of Durham, containing 4,870 yards square, or thereabouts, *et al*; also premises (a tenement) in Hartlepool, county of Durham; also a piece of ground at the north end of Stockton, 3,080 square yards, part of a close called "Middle Field," *et al*, county of Durham; also a parcel of ground in New Thornley, county of Durham, containing 168 square yards; also a dwelling-house at Wolsingham, county of Durham.	- - Upon trust to use and appropriate the same as sites for Roman Catholic churches or chapels for the performance of the Roman Catholic religion; as a residence for the officiating priests; as schools for the education of children as Roman Catholics, and for cemeteries or burial places, in such manner as shall be approved by the Right Rev. James Chadwick, or the "Bishop" having episcopal jurisdiction there.	4 Nov. 1867	Part 121

YEAR 1867—*continued.*

NAMES OF PARTIES.	PROPERTY AND ACREAGE.	TRUSTS CREATED.	Date of Deed.	Reference to Roll.
ıture made between William ıke, of Sheffield, county of rk, gentleman, of the first part, Right Rev. Robert Cornthite, of Bishop's House, county York, D.D., Roman Catholic hop of Beverley, the Very Rev. bert Thompson, of Nun Monk-, county of York, clerk, the ry Rev. Henry Joseph Cooke, Barnsley, county of York, clerk, e Rev. Joseph Hurst, of Atterffe, county of York, clerk, and e Rev. Martin Kelly, of Sheffld, county of York, clerk, of e second part.	- - Conveyance in trust of all that plot of ground situate at Attercliffe, in the parish of Sheffield, in the West Riding of the county of York, the same being part of lands heretofore called The Lays, and which said plot of ground contains, by recent admeasurement, 1,238 superficial square yards, or thereabouts.	- - Upon trust to devote and appropriate the said plot of land as and for a site for a church or chapel for the celebration of divine service according to the rules and ceremonies of the Roman Catholic Church, and if deemed expedient, for a house, &c., for the accommodation of the persons engaged in the service of the said church or chapel. For the Roman Catholics of the neighbourhood of Attercliff. Patronage to be vested in the Roman Catholic Bishop, whose episcopal jurisdiction shall extend to Attercliff aforesaid.	14 Nov. 1867	Part 125.

YEAR 1868.

Right Hon. Thomas Littleton aron Lilford, of Lilford, in the unty of Northampton, of the ie part, and the Right Rev. lexander Goss, of Liverpool, a ishop of the Roman Catholic hurch, the Very Rev. John Valmsley, of Liverpool, Vicar eneral of the Roman Catholic iocese of Liverpool, and the ery Rev. James Fisher, of Crosy, in the county of Lancaster, erk, of the other part.	- - Conveyance of a plot of land at Atherton, in the county of Lancaster, containing 3,865 superficial square yards.	- - To be used and appropriated as a site for a Roman Catholic Church and school-room or rooms.	14 April 1868	Part 47.
omas Weld Blundell and Charles oseph Weld Blundell, both of nce, Blundell Hall, in the county f Lancaster, Esqrs., of the one art, and the Right Rev. Alexaner Goss, of St. Edward's College, Everton, near Liverpool, D.D., he Very Rev. John Henry Fisher, f St. Edward's College aforesaid, .D., the Very Rev. James Fisher, f Crosby, Lancaster, clerk, and he Very Rev. John Walmsley, f Liverpool, Clerk, of the other art.	- - Appointment of a piece of land at Lydiate, in the county of Lancaster, containing 4,184 square yards, together with the church or chapel built thereon, called St. Mary's.	- - Upon trust to permit the church to be used as a place of public divine worship of the Roman Catholics. The cemetery or burial ground to be used as a place of burial of the deceased members of the Roman Catholic Church. The dwelling-house which may be hereafter erected to be occupied by the officiating priest.	7 Feb. 1868	Part 47.
ne parties as last preceding deed	- - Appointment of a piece of land at Birkdale, in the county of Lancaster, containing 4,654 square yards, together with the church or chapel called St. Joseph's, and the dwelling-house or priest's house erected thereon.	- - Upon trust to permit the church to be used as a place of public divine worship of the Roman Catholics, and the dwelling-house to be occupied by the officiating priest.	7 Feb. 1868	Part 47.
ne parties - - - -	- - Appointment of a piece of land at Formby, in the county of Lancaster, containing 7,850 square yards, together with the new church or chapel called St. Mary's, and the dwelling-house, priest's house, and the reading or meeting rooms, or room erected thereon.	- - Upon trust to permit the church to be used as a place of public divine worship by the Roman Catholics. The dwelling-house to be occupied by the officiating priest; and the reading or meeting rooms for the instruction of Roman Catholics. Such part of the land as the Bishop may direct to be used as a cemetery.	7 Feb. 1868	Part 47.
ward Chaloner, of Oak Hill, near Liverpool, Esq., of the one part, and the Right Rev. Richard Butler Roskell, of Nottingham, D.D., the Very Rev. Charles Tasker, of Glossop, Derbyshire, the Very Rev. Bernard O'Reilly, of Liverpool, the Rev. Arthur Riddell, of Hull, and John Gerard Riddell, of Hermeston Grange, Worksop, Notts, gentleman, of the other part.	- - Conveyance of a piece of land in the township of Oldcoates, in the parishes of Blythe and Harworth, or one of them, in the county of Notts, containing 1 A. 13 R. 15 P., together with the chapel and house to be erected thereon by the said Edward Chaloner.	- - Upon trust to maintain, use, and appropriate the chapel so to be erected for the celebration of divine service according to the rites of the Roman Catholic religion, and the house for the clergy officiating in such chapel.	15 Sept 1868	Part 114.

Year 1868—*continued.*

NAMES OF PARTIES.	PROPERTY AND ACREAGE.	TRUSTS CREATED.	Date of Deed.	Reference to Roll.
The Right Rev. Thomas Grant, of St. George's Roman Catholic Cathedral, Southwark, Roman Catholic Bishop, the Very Rev. James Danell, of same place, clerk, the Very Rev. John Crookall, of Woolhampton, near Newbury, Berks, clerk, and the Very Rev. John Bamber, of Bermondsey, Surrey, clerk.	- - Declaration of trust of a piece of land in the parish of St. Mary's, Battersea, containing 1 R. 2 P.	- - Upon trust to use and appropriate the same as a site for a Catholic church, for the performance of the worship of the Roman Catholic religion ; as a site for a house for the residence of priest, and for schools for the education of poor children ; also for a cemetery.	27 July 1868	Part 122

Year 1869.

The Right Rev. Thomas Grant, of St. George's Roman Catholic Cathedral, Southwark, Roman Catholic Bishop, the Very Rev. James Danell, of same place, clerk, the Very Rev. John Crookall, of Woolhampton, near Newbury, Berks, clerk, and the Very Rev. John Bamber, of Bermondsey, Surrey, clerk.	- - Declaration of trust of two pieces of land in Camberwell New Road, in the parishes of St. Mary, Lambeth, and St. Giles, Camberwell, Surrey ; one piece containing an area of 7,000 feet, or thereabouts ; the other piece containing, by admeasurement, next the Camberwell New Road, 22 feet, or thereabouts.	- - Upon trust to use and appropriate the same as a site for a Catholic church, for the performance of the worship of the Roman Catholic religion ; as a site for a house for the residence of priest, and for schools for the education of poor children ; also for a cemetery.	28 Jan. 1869	Part 11
William Henry Stone, of Leigh Park, in the parish of Havant, and county of Southampton, Esq., of the one part, and the Right Rev. Thomas Grant, the Very Rev. John Crookall, and the Very Rev. James Danell, of the other part.	- - Enfranchisement of lands held of the Manor of Havant, as follows : two doles, parcel of one messuage, and a half yard of bond land, lying within the said manor. A piece containing 87 rods ; a piece containing three acres ; a piece containing 1 A. 2 R. 14 P.	- - The property is conveyed to Grant, Crookall, and Danell, their heirs and assigns, as joint tenants, as well in equity as in law. There is no mention in the deed of the property being held upon any trust.	31 Dec. 1868	Part 22
Mary Ann Stanley Constable, of Otley, in the county of York, spinster, of the one part, and the Right Rev. Robert Cornthwaite, of Springfield House, near Leeds, D.D., the Very Rev. Canon Robert Thompson, of Nun Monkton, clerk, the Very Rev. Canon Richard Browne, of Leeds, clerk, the Very Rev. Thomas Canon Harrison, of Stourton, near Knaresborough, clerk, and the Rev. Edward Goldie, of Springfield House, clerk, of the other part.	- - Conveyance of a piece of land, with schoolhouse thereon, in Crow-lane, in Otley, in the county of York, containing 845 square yards, or thereabouts.	- - Upon trust for a school or schools for Roman Catholic children and youth, and for a play ground. Also declaration of trust of a sum of 525*l.* stock of the London and North Western Railway Company, recited to have been transferred by Miss Constable to the trustees for the maintenance and reparation of the school.	22 Feb. 1869	Part 3
The Right Rev. Thomas Grant, the Very Rev. James Danell, and the Rev. Frederick Sellwood Bowles, of Ventnor, Isle of Wight, clerk.	- - Declaration of trust of a piece of land containing 2 R. 10 P., situate at Ventnor, in the Isle of Wight, with the dwelling-house thereon, called Vicenza Villa.	- - Upon trust for a site for a Roman Catholic Church, for a house for the residence of the priest, for schools for the education of poor children, and for a cemetery.	1 June 1869	Part 5
Joseph West, of Havant, in the count of Hants, yeoman, of the first part, and the Rev. Thomas Grant, the Very Rev. James Danell, the Very Rev. John Crookall, and the Rev. Thomas Doyle, of Old Hall Green, in the county of Herts, clerk, of the second part.	- - Conveyance of a piece of land situate in the parish of Bedhampton, in the county of Hants, containing, by estimation, on the north side, 59 ft. 6 in. ; on the south side, 55 ft. 6 in. ; on the east side, 77 ft. 6 in. ; on the west side, 74 ft. 6 in., to be used as a cemetery ; and also a piece of land in the same parish adjoining the above, and to be used as a road leading thereto.	- - The property is expressed to be assigned to the parties of the second part, their executors, administrators, and assigns, as joint tenants as well in equity as at law, without mention of any trusts.	1 June 1869	Part 7
Louisa Catharine Dowager Duchess of Leeds, of the one part, and the Right Rev. Thomas Grant, the Right Rev. and Hon. William Clifford, the Rev. Joseph Searle, the Right Hon. William Lord Petre, the Hon. Alfred Stourton, Sir John Lawson, and Simon Thomas Scrope, of the other part.	- - Conveyance of land as follows :— Part of a farm called Trodger's Farm, in the parish of Mayfield, Sussex, containing 24 A. 0 R. 35 P. ; a piece of land at or near Rushes Croft, in Mayfield, containing 2 R. 16 P., and a cottage and garden at Colkin's Mill Bridge, in Mayfield ; a piece of land late part of the waste of the Manor of Mayfield, rent 2*s.* 6*d.* ; the fee or seigniory of and in all the quit-rents, heriots, relief, fealty, &c., payable in respect of certain hereditaments heretofore held of the Manor of Mayfield, at yearly rents amounting to 3*s.* 7½*d.*	- - Upon like trusts as are declared concerning certain hereditaments situate at Hastings, Sussex, known as Hastings House, by indenture dated 30th November 1863, and enrolled in Chancery.	28 July 1869	Part 7

Year 1870.

NAMES OF PARTIES.	PROPERTY AND ACREAGE.	TRUSTS CREATED.	Date of Deed.	Reference to Roll.
The Right Rev. Thomas Grant, the Very Rev. James Danell, the Very Rev. John Crookall, and the Very Rev. John Bamber.	- - Declaration of trust of piece of land, with the messuages or tenements thereon, at Landport, in the county of Hants, adjoining the theatre there; the dimensions or quantity is not given either in the description of parcels or the plan drawn thereon.	- - Upon trust for a site for a Roman Catholic Church, for a house for the residence of the priest, for schools for the education of poor children, and for a cemetery.	9 Dec. 1869	3
John Kidson, of Sunderland, Durham, gentleman, and Thomas Taylor Smith, of Tanfield Lea, coal viewer, of the first part; Edward Taylor Smith, of Colpike Hall, Lanchester, Esq., of the second part; and the Right Rev. James Chadwick, of Newcastle-upon-Tyne, D.D., the Very Rev. John William Bewick, of North Shields, clerk, the Very Rev. John Bamber, of Sunderland, clerk, the Very Rev. Luke Curry, of the City of Carlisle, clerk, the Very Rev. Edward Consitt, of the City of Durham, clerk, and the Rev. Thomas Ord, of Thropton, Northumberland, clerk, of the third part.	- - Conveyance of a piece of land situate at Tow Law, in the parish of Lanchester, Durham, part of an estate called Hedley Hope, containing in length, from north-east to south-west, 90 feet, and in breadth, from north-west to south-east, 66 feet or thereabouts, recited to be for the purpose of building thereon a Roman Catholic Chapel and school, and master's house.	- - Upon the trusts (other than those relating to the interment of deceased members) declared by a deed poll dated 4th November 1867, under the hands and seals of James Chadwick, the Very Rev. Ralph Platt, the Very Rev. Charles Eyre, the said John William Bewick, the Rev. Thomas William Wilkinson, and the Rev. George Webb, and enrolled in Chancery on the 7th of same month of November.	15 Dec. 1869	12
The Rev. George Jeffries, of Bromsgrove, Worcester, clerk, the Rev. Bernard Ivers, clerk, and Henry Wareing, clothier, both of Birmingham, of the one part, and the Rev. Michael O'Sullivan, the Rev. Edgar Edmund Estcourt, and the Rev. Thomas Longman, all of Bishop's House, Birmingham, clerks, of the other part.	- - Conveyance of a parcel of land situate in Windmill-street, Birmingham, forming the site of six messuages formerly standing thereon, and the yard adjacent and belonging thereunto, and the school and other erections now erected thereon. (Dimensions not stated.)	- - Upon trust to permit the buildings and school to be used for the education of poor boys and girls, members of the congregation, attending the church or chapel connected therewith; the upper room or story of the building to be used as a chapel for the celebration of Divine Worship according to the rites of the Roman Catholic Church.	17 Feb. 1870	17
The Right Rev. Thomas Grant, the Very Rev. James Danell, the Very Rev. John Crookall, and the Rev. John Bamber.	- - Declaration of trust of a piece of land at Erith, in the county of Kent, containing 132 feet in depth, and in width, 24 feet or thereabouts, together with the messuage or tenement, stable and pigstye, erected thereon.	- - Upon trust for a site for a Roman Catholic Church, for a house for the residence of the priest, for schools for the education of poor children, and for a cemetery.	26 Nov. 1869	29
The Right Rev. Thomas Grant, the Very Rev. James Danell, the Very Rev. John Crookall, and the Very Rev. John Bamber.	- - Declaration of trust of a piece of land with messuage erected thereon, known as No. , Belvoir Villas, in the Maison Dieu Road, in the parish of Charlton, in Dover, Kent.	- - Upon trust for a site for a Roman Catholic Church, for a school for the education of poor children, and for a cemetery.	16 Feb. 1870	32

Appendix, No. 2.

PAPERS handed in by Mr. *J. M. Robertson*, 14 July 1870.

Appendix, No. 2.

EXTRACTS FROM DEEDS.

WESTTHORN.

(Part. Reg. Seis. Renfrew, Lib. 1561, Fo. 50.)

At Glasgow, the 28th day of February 1860, this disposition, with warrant of registration thereon, presented by Matthew Rae, writer, in Glasgow, between the hours of four and five, afternoon, is recorded as follows :—

I, James Farie, Esq., of Farme, heritable proprietor of the lands and others after disponed, considering that by minute of agreement and sale dated the 4th and 10th days of May 1859, entered into between me on the one part, and the Reverend Anselm Robertson, Roman Catholic Clergyman, then residing in Glasgow, now at Westthorn, on the other part, I, in consideration of the price thereby stipulated and hereinafter specified, agreed and bound myself, upon receiving payment of the said price, to grant, execute, and deliver a valid disposition to the said Reverend Anselm Robertson, and such other person or persons as he might name, either as trustees or otherwise, and according to such destination as he might prescribe, of all and whole the stripe or piece of ground and others hereinafter disponed; and on the other part the said Reverend Anselm Robertson agreed and bound himself, at the term of Whitsunday 1859, and upon receiving delivery of the said disposition, to make payment to me of the sum of 2,200 *l.* sterling as the stipulated price of the said lands and others, with interest and penalty as therein mentioned, as the said minute of agreement and sale in itself more fully bears. And now, seeing that the said Reverend Anselm Robertson has, in terms of the said agreement, made payment to me of the foresaid sum of 2,200 *l.* sterling, whereof I hereby acknowledge the receipt, and discharge him and his heirs and successors for ever, and has requested me to grant these presents in the terms underwritten. Therefore I have sold and disponed, as I do hereby, at the request and with consent of the said Reverend Anselm Robertson, for all right or interest he has in the premises, sell, alienate, and dispone to, and in favour of, the Right Reverend Doctor John Murdoch, Roman Catholic Bishop, residing in Glasgow, vicar apostolic in the western district of Scotland, the Right Reverend Doctor Alexander Smith, Roman Catholic Bishop, in Glasgow, the Reverend John Gray, the Reverend John Macintosh, the Reverend Donald Carmichael, the Reverend Donald McEachern, the Reverend Eugene Small, and the Reverend Roderick Chisholm, all Roman Catholic clergymen, in Glasgow, the Reverend James Cameron, Roman Catholic clergyman in Maryhill, and the said Reverend Anselm Robertson, and to any other person or persons to be appointed to act along with, or to succeed, them in manner after mentioned, and to the survivors and survivor of them, in trust for the promotion of education in Scotland in connection with the Roman Catholic Church, declaring that a majority of the said trustees above named, and to be appointed as aforesaid, acting and resident in Scotland, shall at all times form a quorum, and that the said trust shall continue and be permanently maintained upon the appointment of new trustees by the said Right Reverend Doctor John Murdoch, or by the Roman Catholic Bishop or vicar apostolic officiating for the time in the western district of Scotland, by a writing under his hand from time to time, when and as often such appointment may become necessary, and to the assignees of the said trustees or their successors as aforesaid, heritably and irredeemably, all and whole that stripe or piece of ground, part of the lands of Westthorn, containing three acres one rood and three poles, or thereby, imperial standard measure, bounded on the west, west north west, west by north, north west by west, and south west by south, by other parts of the lands of Westthorn belonging to me, along which it extends in the first place on the west 328 feet or thereby along the west side of the present burn, measuring northward from its junction with the river Clyde in the second place, on the west north west 471 feet or thereby, on a straight line drawn from the termination of the last described boundary to a point ranging with the south face of the southmost wall of Westthorn Mill, and 22 feet distant from the south-west corner of the said mill, and in the third place on the west by north, north west by west, and south west by south, partly by a line parallel to and 22 feet distant

distant from the west wall of said mill, and partly by the centre and line of a thorn hedge forming the side of the road leading to the said mill, and which road is situated within the ground hereby disponed on the north west by the private road leading from Westthorn farm steading to the New London-road, along which it extends 25 feet, or thereby, on the north west by north by part of the lands of Dalbeth along which, measuring from the said private road to the centre of the mill lead, it extends 394 feet, or thereby, on the north east by north side of the said road leading to the foresaid mill, and situated within the ground hereby disponed, on the south east by east from the termination of the last described boundary to the line of the thorn hedge next after mentioned, by the centre of the mill lead separating the lands of Dalbeth from the lands of Westthorn, on the north north east by the centre of the thorn hedge which runs in a straight line between said mill lead and the burn, along which, measuring from the centre of the mill lead to the centre of the burn, it extends 77 feet, or thereby, and from thence to the junction of the said burn with the river Clyde, the said ground and subjects hereby disponed are bounded by the centre of said burn separating the lands of Dalbeth from the lands of Westthorn, all as delineated on a plan thereof made out by William Kyle, land surveyor, in Glasgow, and signed by me and the said Reverend Anselm Robertson as relative to the said minute of agreement and sale, together with the said mill and whole other buildings and erections on the said piece of ground and entry to the same by the foresaid private road leading from the new London-road to Westthorn farm steading and whole other parts, pendicles and pertinents thereof, so far as the same are my property, and together also with right, so far as belonging to me, to the mill dam and mill lead within the lands of Dalbeth, my said disponees and their foresaid freeing and relieving me and my foresaids in all time coming of the expense of upholding the said mill dam and lead, and of all charges therewith connected, which stripe or piece of ground before disponed, is part and portion of all and whole those parts and portions of the lands and estate of Westthorn belonging to me, lying in the Barony parish of Glasgow and shire of Lanark, which were formerly parts and portions of the lands of Dalbeth known by the name of the Upper and Lower Haugh, and extending to about 16 acres or thereby, bounded by the river Clyde on the east, south, and southwest, on the west by a paling and hedge running from the Clyde to the march hedge on the north and west, and again by the said march hedge on the north, and the hedge planted between the properties of Westthorn and Dalbeth, and again by the said new hedge until it joins the conduit leading from the Millburn to Clyde, and on the east by the said conduit, and which said subjects last above described were acquired by James Sword, junior, formerly of Westthorn, from James Hopkirk, esquire, of Dalbeth, by feu disposition dated the 19th day of March 1819, reserving always to me and my heirs and successors, the whole coal, metals, and minerals in the said piece of ground hereby disponed, with full power by ourselves, our tenants and servants, so far as, but no farther than, we at present have power so to do, to search for, work, and win the said coal, metals, and minerals, and also to form all necessary mines or roadways underneath the said road and the said burn, so as to connect the mineral field under the ground before disponed, with the mineral field in the lands adjoining, but that always in such a manner as not to make pits or break the surface of the said ground in searching for, working, or winning the said coal, metals, and minerals, and without our being liable for any damage which the surface of the ground or the buildings and erections thereon may sustain by the working of the said coal, metals, and minerals in the manner hereby prescribed, declaring always, as it is hereby expressly provided and declared, that I and my foresaids shall not be at liberty to search for or work and win said coal, metals, or minerals, within a space forming a circuit of 20 yards around the foresaid mill, measuring from the outer walls thereof, reserving also to me and my foresaids power and liberty to form, so far as not already done, such drains or sewers through the said piece of ground as may be necessary for the purpose of carrying off and discharging into the said burn, or the channel thereof, or mill lead, waste, or surplus water from my other lands of Westthorn, and to repair the said drains or sewers from time to time when necessary, but so as not to cause unnecessary damage to my said disponees or their assignees, and declaring that such drains or sewers as may hereafter be formed as aforesaid, shall not be formed within a distance of 20 yards from the said mill on any side, and also declaring that my said disponees and their foresaids shall, notwithstanding the above reservation, have full power and liberty to divert the course of the said burn and mill lead as they may think proper, and also to cover or close up the present channels thereof; but in case they shall cover or close up the present channels of the said burn or mill lead so as to prevent them from carrying off the said waste or surplus water, I and my foresaids shall, in that event, have power either to connect said drains or sewers with the new course of the said burn or mill lead, or to carry them down to the river Clyde, together with all right, title, and interest, claim of right, property, and possession which I, my predecessors and authors, or heirs and successors, have had or can in any way claim or pretend to the said lands and others before disponed in all time coming, declaring without prejudice to their rights and powers generally as trustees foresaid, that my said disponees and their foresaids shall have full power to sell and dispose of the said lands and others at pleasure, and also to borrow money on the security thereof, and to grant all dispositions, bonds, and dispositions in security, and other writings necessary; and that the purchasers or lenders shall have no concern with, or right to inquire into the application of, the price or prices, or of the sums borrowed, or the purposes of the trust, with entry as at the term of Whitsunday last 1859, to be holden *a me vel de me*; and I resign the said lands and others for new infeftment, but always with and under the reservations, conditions, and declarations before specified; and I

Appendix, No. 2.

assign the writs, and oblige myself and my foresaids to make the same according to inventory subscribed by me of the date hereof, forthcoming to my said disponees and their foresaids on all necessary occasions, on a receipt and obligation for re-delivery within a reasonable time and under a suitable penalty; and I assign the rents, and I bind myself to free and relieve my said disponees and their foresaids of all feu duties, casualties, and public burdens; and I grant warrandice under the exception of the feu and blench duties, and I consent to registration hereof for preservation, and also to registration in the general or particular Register of Sasines. In witness whereof these presents written on this and the five preceding pages of stamped paper by John Campbell, clerk to Stout and Muirhead, writers, in Glasgow, the word "burn" on the 12th line from the bottom of page second hereof having been written on an erasure, and the word "Dalbeth" on the second line from the bottom of page third having been written partly on an erasure before subscription are subscribed by me the said James Farie at Glasgow, on the 2nd day of February 1860, before these witnesses: William McJannet, writer, in Glasgow, and John Bryson Clark, clerk to Messrs. Bannatynes and Kirkwood, writers there; and by the said Reverend Anselm Robertson at Glasgow, on the 28th day of February and year last mentioned, before these witnesses: Thomas Stout, writer, in Glasgow, and John Leask Stout, clerk to the said Stout and Muirhead.

DALBETH.

Excerpts from Sasine in favour of Eliza Daniel, Dalbeath House, and Ann Keasley, Frances Power, Mary Lowe, Emma Henrietta Rainbuck, and Mary Nordholm, residing at Hammersmith, near London. Of the Mansion House, and parts of the lands of Dalbeth, under burden of 2,400*l.* On disposition (dated 20th November 1851) by Rev. Dr. John Murdoch, Roman Catholic Bishop, Glasgow; and William Gordon, Peter Forbes, John Gray, and John Shaw, Roman Catholic clergyman there; David Alexander Smith, Airdrie, now Roman Catholic Bishop, Glasgow; Charles McKenzie, Roman Catholic clergyman, Dumbarton, and James Smith, Roman Catholic clergyman, Hamilton; which sasine is recorded in the General Register of Sasines, &c., on 4th December 1851 (vol. 2,566, fol. 203).

All and whole the Mansion-house, and those parts of the lands of Dalbeth, consisting of nine acres and three roods, or thereby, imperial measure, equal to seven acres, two roods, and thirty-six falls, and ninety-three one-hundredth parts of a fall, or thereby Scots measure, bounded on the east by the New London-road, on the south by other parts of the lands of Dalbeth, belonging to the said disponers, and partly by the lands of Easterhill, and on the north and west sides by other parts of the said lands of Dalbeth, as the same are delineated on a plan or sketch of certain parts of the lands of Dalbeth belonging to them, made out by Thomas Kyle, land surveyor in Glasgow, bearing date the second day of April 1851, a copy of which is indorsed upon the said disposition, and signed as relative thereto, and to which special reference is thereby made for the boundaries and extent of the said lands, and which lands thereby disponed and above described, are parts and portions of the lands of Dalbeth, principally described in the previous writs and title-deeds thereof, as follows, viz.: in the first place, all and haill the twenty-two shilling and six penny land, of old extent, in Easter Dalbeth, with that part of Clydes Mill and Salmon Fishings in the Water of Clyde thereto belonging, with houses, biggings, yards, tofts, crofts, mosses, muirs, meadows, marshes, pasturages, and all other parts, pendicles and pertinents of the same whatsomever lying in the Barony and regality of Glasgow and Sheriffdom of Lanark, as the said lands and pertinents were sometime possessed by William Dunlop, junior, merchant in Glasgow, after a division or excambion of part thereof, made betwixt him and Archibald Smellie, merchant in Glasgow, now, or formerly proprietor of, the thirty-seven and 6*d.* land of old extent of Easter Dalbeth, conform to contract of division made and entered into between them, of date the 27th day of May 1752. In the second place, all and whole that 22*s.* 6*d.* land of old extent, of Easter Dalbeth, with the lands called Wassonshill, pertaining thereto, and that part of the mill of Clydes Mill and Salmon Fishing in the Water of Clyde, corresponding thereto, and with a fourth part of a coble or little boat for taking salmon in the said river, betwixt the Hagbank and the Redbraefoot, with houses, biggings, yards, mosses, muirs, and haill other pertinents of the same whatever. As also all and whole the 15*s.* land of old extent in Easter Dalbeth, with the houses, biggings, yards, and that part of the mill of Clydes Mill and Salmon Fishing in the River Clyde, corresponding thereto, and haill pertinents of the same whatsoever, all lying within the Barony parish of Glasgow and shire of Lanark, together with the Mansion-house and other buildings, and the whole coal which may be in the foresaid lands still unwrought, and with a proportional part of the seat in the Barony kirk at Glasgow, No. 63, effeiring to the valuation of the foresaid lands, and whole yards, toftings, croftings, and all parts, pendicles and pertinents thereto belonging, excepting always and reserving those parts of said last-mentioned lands, and others which were sold and conveyed by the trustees of Archibald Smellie, merchant in Glasgow, to James Dunlop. As also those parts and portions of said lands, and others last mentioned, conveyed by the deceased James Hopkirk to the deceased Robert Finlay, merchant in Glasgow; and also with the privileges, and under the burdens, restrictions, conditions, and provisions specified, and contained in the rights and titles of the lands, and others above described, as

also

also all and whole those parts and portions of the loan of Dalbeth-road passing through the deceased James Hopkirk's property, and now shut up by the Woodend-road trustees; and so far as the said deceased James Hopkirk had acquired, or might acquire, a right, together with the whole coal, lime, ironstone, and other metals and minerals in the said lands, in so far as they may contain the same, and all right, title, and interest, claim of right, property, and possession, which they the said disponers, and the survivors or survivor of them, had or could any way claim or pretend to the said several lands, and others in all time coming, and whole parts, privileges, and pertinents of said lands, and others thereby disponed.

EXCERPT.

From Disposition of Standard Property Investment Society to *Alfred Weld*, 16 August 1866.

(General Register of Seisins, vol. 3,506, fol. 146.)

"Do hereby dispone to and in favour of the said Alfred Weld, George Porter, and Thomas Porter, and the survivors and survivor of them, and the heirs of the last survivor, as trustees and trustee for behoof of themselves, and of the survivors and survivor, and of the heirs of the predecessors, and to the assignees of the said trustees or trustee heritably and irredeemably all and whole," &c.

Appendix, No. 3.

PAPER handed in by Mr. *Robert Ross*, 14 July 1870.

EXTRACTS FROM VALUATION LISTS OR RATE BOOKS.

Name of Occupier.	Name of Owner.	Description of Property Rated.	Name or Situation of Property.	Estimated Extent. A. R. P.	Gross Estimated Rental. £. s. d.	Rateable Value. £. s. d.
CHELSEA (Valuation List):						
Rev. R. G. McMullen	Sir Francis Shuckburgh	Industrial School	Cadogan-street		255 – –	225 – –
Ditto	ditto	House	Cadogan-terrace		85 – –	71 – –
Philip Bosio	Robert Gunter	Private residence	21, Victoria-grove		50 – –	42 – –
Selina E. Curtis	Selina E. Curtis	School and Orphanage	The Convent		448 – –	400 – –
Ditto	ditto	ditto ditto	ditto		112 – –	100 – –
FULHAM (Rate Book):						
Selina D'Orcot	J. T. Peacock	House, offices, and pleasure grounds.	Hermitage Lodge, Lillie road		126 – –	107 – –
KENSINGTON (Valuation List):						
Rev. Wm. Thos. Gordon	Trustees for the Rev. Fathers who occupy: Rev. J. F. Knox, „ E. G. Baghorne, „ C. H. Bowden, Brompton Oratory.	House and grounds	Roman Catholic Oratory, Brompton		800 – –	667 – –
Madame Macnamara	J. M. Macnamara and others	House	24, Kensington-square		165 – –	138 – –
Ditto - ditto	ditto - ditto	ditto	25A, „ „		110 – –	92 – –
Ditto - ditto	ditto - ditto	ditto	23, „ „		150 – –	125 – –
Ditto - ditto	ditto - ditto	ditto	22, „ „		100 – –	84 – –
John Haggerty	ditto - ditto	ditto	1, Haines-buildings		10 – –	8 – –
B. Heath	ditto - ditto	ditto	2, „ „		10 – –	8 – –
W. Brazier	ditto - ditto	ditto	3, „ „		10 – –	8 – –
G. Clarke	ditto - ditto	ditto	4, „ „		10 – –	8 – –
E. Goddard	ditto - ditto	ditto	5, „ „		10 – –	8 – –
H. Toone	ditto - ditto	ditto	6, „ „		10 – –	8 – –
C. Nailor	ditto - ditto	ditto	7, „ „		10 – –	8 – –
W. Burchett	ditto - ditto	ditto	8, „ „		10 – –	8 – –
Madame Macnamara	ditto - ditto	ditto	3, South End		8 – –	6 – –
J. Husson	ditto - ditto	ditto	2, „ „		8 – –	6 – –
H. Ockendon	ditto - ditto	ditto	1, „ „		8 – –	6 – –
					629 – –	521 – –

Rizzo Felix	Rizzo Felix	House--Freehold	Carmelite Monastery, 5, Vicarage-place, Kensington	- -	160 - -	134	
Society of the Little Sisters of the Poor.	Society of the Little Sisters of the Poor.	House	St. Joseph's House, Portobello-road, Notting Hill.	- -	120 - -	100 - -	
Mrs. M. F. Burton	-	House	Convent, Portobello-road, Notting Hill.	- -	420 - -	350 - -	
Bertha de Netterncourt	Charles Ford	House	St. Mary Abbotts, 1 Colville-terrace West, Notting Hill.	- -	80 - -	67 - -	
Convent of Poor Clares	Community of Poor Clares	Convent	Edmund-terrace	- -	400 - -	334 - -	
ST. PANCRAS (Valuation List):							
Seton Rooke	Rev. James Aylward and others	Monastery	Maitland Park	- -	470 - -	392 - -	
Elizabeth Corbett	Anthony Boden	House	25, Maitland Park Villas	- -	66 - -	55 - -	
Josephine Copin	Self	House, School, and Grounds	The Common, Highgate-road	- -	565 - -	471 - -	
Alfred W. Dolman	Self	House	Somers-town	- -	70 - -	59 - -	
James Bamber	-	Schools	Somers-town	- -	120 - -	100 - -	
Margaret Morley	Edward Belassis, A.*	House	58, Clarence-gardens, N.W.	- -	33 - -	27 - -	
HAMMERSMITH (Valuation List):							
Trustees of the Reformatory (F. New, Secretary).	Mr. Robinson	House, buildings, and lands	Blythe House	- -	180 - -	150 - -	
Rev. J. B. Rowe	-	College, buildings, and land	St. Mary's Training College	- -	252 - -	216 - -	
Appolonia Weld	-	House and land	Fulham-road	- -	270 - -	225 - -	
Ann Holden	Flowers	House and land	Brook-green	2 2 30	108 - -	86 - -	
Mary Leontine	-	House and land	49, Queen-street	- -	76 - -	63 - -	
Victoire Larmenier and Caroline Hicks.	-	House, land, and buildings	Nazareth House, King-street, East	2 2 23	447 - -	372 - -	
MARYLEBONE (Rate Book):							
—	—	House	St. Edward's Convent, 47, Blandford-square.	- -	444 - -	400 - -	
Rev. W. Hunt	-	House	28B, Marylebone-lane, W.	- -	111 - -	93 - -	
Dames de St. André	Scott	House	2, Hall-road, N.W.	- -	167 - -	150 - -	
Lydia Bennet	-	House	Marie Reparatrice (Society of), Harley House, N.W.	- -	350 - -	292 -	
ST. GEORGE'S, HANOVER SQUARE (Rate Book):							
Henry McCann	-	House	Jesuit Fathers, 111, Mount-street, W.	- -	375 - -	300 - -	

* Agent.

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LIST of certain CONVENTS and MONASTERIES in *London* which could not have been discovered without reference to the Roman Catholic Directory, as referred to in evidence by Mr. *Ross*.

Name of Occupier.	Name of Owner.	Description of Property Rated.	Name or Situation of Property.	Estimated Extent.	Gross Estimated Rental.	Rateable Value.
				A. R. P.	£. s. d.	£. s. d.
CHELSEA (Valuation List):						
Rev. R. G. M'Mullen	Sir Francis Shuckburgh	Industrial School	Cadogan-street	- - -	255 - -	225 - -
Ditto	ditto	House	Cadogan-terrace	- - -	85 - -	71 - -
Philip Bosio	Robert Gunter	Private Residence	21, Victoria-grove	- - -	50 - -	42 - -
FULHAM (Rate Book):						
Selina D'Orcot	J. T. Peacock	House, offices, and pleasure grounds.	Hermitage Lodge, Lillie-road.	- - -	126 - -	107 - -
KENSINGTON (Valuation List):						
Madame Macnamara	J. M. Macnamara and others.	House	24, Kensington-square	- - -	165 - -	138 - -
Ditto	ditto	ditto	25A, " "	- - -	110 - -	92 - -
Ditto	ditto	ditto	23, " "	- - -	150 - -	125 - -
Ditto	ditto	ditto	22, " "	- - -	100 - -	84 - -
John Haggerty	ditto	ditto	1, Haines-buildings	- - -	10 - -	8 - -
B. Heath	ditto	ditto	2, " "	- - -	10 - -	8 - -
W. Brazier	ditto	ditto	3, " "	- - -	10 - -	8 - -
G. Clarke	ditto	ditto	4, " "	- - -	10 - -	8 - -
E. Goddard	ditto	ditto	5, " "	- - -	10 - -	8 - -
H. Toone	ditto	ditto	6, " "	- - -	10 - -	8 - -
C. Nailor	ditto	ditto	7, " "	- - -	10 - -	8 - -
W. Burchett	ditto	ditto	8, " "	- - -	10 - -	8 - -
Madame Macnamara	ditto	ditto	3, South End	- - -	8 - -	6 - -
J. Husson	ditto	ditto	2, " "	- - -	8 - -	6 - -
H. Ockendon	ditto	ditto	1, " "	- - -	8 - -	6 - -
					629 - -	521 - -
Bertha de Netterncourt	Charles Ford	House	St. Mary Abbotts, 1, Colville-terrace, West, Notting Hill, W.	- - -	80 - -	67 - -
ST. PANCRAS (Valuation List):						
Elizabeth Corbett	Anthony Boden	House	25, Maitland Park Villas	- - -	66 - -	55 - -
Josephine Copin	Self	House, school, and grounds.	The Common, Highgate-road.	- - -	565 - -	471 - -
Alfred W. Dolman	Self	House	Somers-town	- - -	70 - -	59 - -
James Bamber	-	School	Somers-town	- - -	120 - -	100 - -
Margaret Morley	Edward Belassis, A.*	House	58, Clarence-gardens, N.W.	- - -	33 - -	27 - -
HAMMERSMITH (Valuation List):						
Trustees of the Reformatory (F. New, Secretary).	Mr. Robinson	House, buildings, and lands.	Blythe House	- - -	180 - -	150 - -
Rev. J. B. Rowe	-	College, buildings, and land.	St. Mary's Training College.	- - -	252 - -	216 - -
Appolonia Weld	-	House and land	Fulham-road	- - -	270 - -	225 - -
Ann Holden	— Flowers	ditto	Brook-green	2 2 30	108 - -	86 - -
Mary Leontine	-	ditto	49, Queen-street	- - -	76 - -	63 - -
Victoire Larmenier and Caroline Hicks.	-	House, land, and buildings.	Nazareth House, King-street, East.	2 2 23	447 - -	372 - -
MARYLEBONE (Rate Book):						
Rev. W. Hunt	-	House	28B, Marylebone-lane, W.	- - -	111 - -	93 - -

* Agent.

Appendix, No. 4.

PAPER handed in by Mr. *W. Ford*, 21 July 1870.

COPY of the STATUTES of the House of the Sisters of the Poor, Margaret-street, Cavendish-square. Appendix, No. 4.

"Nihil habentes omnia possidentes."

IN the name of the Holy and Undivided Trinity.

The following Statutes have been agreed upon and adopted for the due order and government of the house of THE SISTERS OF THE POOR, which has been established for the purposes hereinafter set forth, and these Statutes have been adopted with the desire and intent that through the blessing of God the principles of which the said house has been founded may be always preserved unchanged and inviolate, and that it may ever be conducted and carried on in accordance with the true Christian faith as it is set forth in the doctrine and discipline of the Church of England to the Glory of Almighty God and the eternal salvation of souls for whom Christ died; therefore these presents witness, and it is hereby agreed and declared as follows (that is to say):

1. The object of the said society, called "The Sisters of the Poor," is the reception and maintenance of incurables of aged and infirm persons in destitute circumstances, and orphans. The visiting and nursing of the poor and sick, and the relief of their spiritual and temporal wants, the burial of the dead and the exercise of other works of mercy; and the said society shall consist of a superior and sisters, and shall be assisted by trustees, an auditor, and a chaplain, and such other officers as the superior and sisters shall hereafter think fit to appoint.

2. The superior and sisters shall elect such person as they shall think fit to be their visitor, and the person so elected by the superior and sisters as aforesaid shall be the visitor for the time being; and such visitor shall have full power and authority, as well upon his own mere motion as upon appeal lodged, or complaint made, at all times to visit the house, and every member, inmate, and officer of the same, and to do and order all things necessary to enforce obedience to the rules and Statutes for the time being binding on the members of the said society, and to enforce therein in all respects the order and discipline of the Church of England, and also to repress and punish all things contrary to the same rules, order, and discipline, and also generally to do and order all those things which appertain by law to the office of visitor, or which shall be hereinafter specially appointed; and the First Visitor of the said institution shall be the Right Honourable and Right Reverend Father in God Archibald Campbell, Lord Bishop of London.

3. The superior shall be a fully admitted sister, and shall be appointed in manner hereinafter mentioned, and shall have the government of the sisters and other inmates of the said house, and of the household thereof.

The first chaplain of the said house shall be the Rev. William Upton Richards, the incumbent of the said district of All Saints; and all future chaplains of the said House shall be elected by the said superior and sisters, and shall be allowed and confirmed by the visitor.

The auditor shall audit and pass all the accounts of the society. The first auditor shall be Benjamin Lancaster, Esq., and all future auditors shall be elected by the superior and sisters.

Appendix, No. 4.

4. Harriet Brownlow Byron being the foundress of the said society, and having been elected by the said sisters to be their first superior, she shall retain the office of superior during the term of her natural life, and every succeeding superior shall hold her office during the term of three years from the date of her election.

5. On every vacancy in the office of superior the fully admitted sisters shall by a majority of votes, nominate one of their own number as successor, and in case they shall fail to nominate a successor within one calendar month from the date of the vacancy, then the appointment shall lapse to the visitor, who shall appoint one of the sisters to be such superior.

6. Every superior hereafter to be elected shall continue in office for the period of three years, but may at the end of that period be continued in her office by the visitor, or be re-elected by the sisters for another period of three years, and so on from time to time, at the expiration of every period of three years.

7. The superior or any sister may be removed from her office or from the society by the visitor on complaint of the chaplain, or the superior, or of the sisters, as the case may be, but the sisters shall not lay any complaint touching the superior or a sister before the visitor, until it shall have been assented to by a majority of them, and shall have been signified in writing to the superior, or the sister complained against, for fourteen days before the same shall be laid before the visitor.

8. The superior may from time to time appoint any fully admitted sister to be her assistant in the office of superior for such period as she shall think proper; and during any vacancy in the office of superior, or during the absence or incapacity of the superior by reason of illness, such assistant shall perform the duties of that office; and if on any such vacancy, absence, or incapacity, there shall be no assistant, the senior sister in order of admission shall act as superior for the time being.

9. The assistant may be removed by the superior at any time, at her will and pleasure.

10. The sisters shall consist of two classes:—

1st. Confirmed sisters after probation, and—

2nd. Sisters probationers: the term and nature of probation shall be settled in the rules hereinafter mentioned, but the superior and sisters, with the advice of the chaplain, shall be at liberty to shorten the period of probation at their discretion in any particular case.

11. No person shall be admitted into the house as sister probationer unless she be a member of the Church of England, and in full communion with the same. And every such admission shall be made in such manner and form as shall be determined and set forth in the said rules.

12. Every sister shall have full and uncontrolled liberty whenever she shall think fit to leave the house and society.

13. Every sister shall upon admittance to probation agree to be bound by, and observe, all the Statutes and rules of the society applicable to herself; and such probationers shall not in any manner interfere or prefer complaints to the chaplain or to the visitor respecting the conduct of the house or of the members thereof.

14. The superior may, with the consent of the majority of the sisters and of the chaplain, make and vary such rules for the internal management and discipline of the sisters as shall be consistent with the Statutes of the society, and be approved of by the visitor; and such rules shall be accessible to all members of the society.

15. The superior shall have full power at any time, with the consent of the visitor and chaplain, to remove or expel any sister from the society.

16. The receipts and expenditure of the society shall be under the entire control and management of the superior for the time being, who shall act as treasurer, and the superior shall pass her accounts from time to time before the auditor.

17. All the real estates and chattels, real houses, leasehold or copyhold estates, and all monies invested in the public stocks or funds, and all household furniture, books, linen, china, and other chattels, personal and effects respectively belonging to the society, shall be respectively conveyed and assigned unto, and invested in, the names of the trustees for the

the time being of the society, and be held by them upon trust for the benefit thereof; and such trustees shall from time to time dispose of such real estates and chattels real, either by way of absolute sale, or by demising or leasing such real estates and chattels real, houses, leasehold or copyhold estates, or any of them, and also of such stocks or funds, furniture, books, linen, china, and other chattels personal, and effects by sale, transfer, or other disposition thereof as the superior, with the consent of the majority of the sisters, shall from time to time direct; but in order to facilitate every sale which may be made, and every lease which may be granted of any such real estate or chattels real, houses, leasehold or copyhold estates, by the trustees thereof for the time being, such trusts and provisions shall be inserted in every conveyance and assignment which shall be made and be executed either on the original or any other conveyance or assignment of such real estates and chattels, real respectively as will effectually authorise and empower the trustees or trustee for the time being under such conveyance and assignment, to sell and demise the premises therein comprised, and to give effectual receipts to purchasers and others, without the necessity of any consent of, or direction by, any other person or persons whomsoever; and also a power in case of the death resignation, refusal, or incapacity of any trustee or trustees for the time being under such conveyance or assignment for the surviving or continuing or other trustees or trustee, or the executors or administrators of the last surviving trustee, to appoint a new trustee or trustees without the consent of any other person or persons whomsoever; and all such other powers and provisions whatsoever, as the counsel in the law of the said society shall advise as necessary for the purpose of relieving all purchasers, lessees, and others from the obligation of inquiring into the necessity or propriety of any sale or sales, or seeing to the application, or being answerable for the misapplication, of any purchase or other monies paid to or received by the trustees or trustee for the time being, under such conveyance or assignment; and the first trustees of the said society shall be Walter Carew Cocks, Philip Charles Hardwicke, Benjamin Lancaster, and John Edward Buller, Esquires.

18. No sister, whether dismissed or not, or whether remaining or not, or her heirs, executors, or administrators, shall have or be entitled, either in her lifetime or after her decease, to, or shall have power to claim, either at law or in equity, any estate, right, title, interest, property, or share whatsoever in or to the real estate or chattels real, houses, leasehold or copyhold estates, stocks, funds, and monies, or in or to the household furniture, books, linen, china, and other chattels personal, and effects belonging to or held in trust for or used for the purposes of the said society, or any of them, or any part or parts thereof, anything herein contained to the contrary thereof in anywise notwithstanding.

19. Whenever any trustee or trustees shall die or desire to be discharged, or shall refuse or become incapable to act, the superior and sisters shall appoint a successor or successors, but this provision shall not supersede the power of appointing new trustees contained in such original conveyance or assignment of any of the real estates or chattels real, being the property of the society as aforesaid; and on every appointment of a new trustee or new trustees, all the property then vested in the trustees for the time being shall be so dealt with that the same may be effectually vested in such new trustee or trustees, and the surviving or continuing trustees, or if there shall be no surviving or continuing trustee, then in the new trustees only.

20. The trustees shall pay all rents, dividends, and other annual produce, and all other monies received from time to time by them, whether capital or annual income, into the hands of the bankers for the time being of the society to the account and credit of the said society, and such payment shall be a sufficient discharge to the trustees for the monies so paid by them, and the superior shall have the power to draw out monies from the bankers for the use of the society as may be required.

21. The trustees, visitors, and chaplain shall be members of the Church of England, and in full communion therewith.

22. If the want of funds or any other cause shall render it expedient to do so, the superior and sisters, or a majority of two-thirds of their whole number (including sisters and probationers), shall have power to dissolve the society, and in such case the houses and property of the said society in Margaret-street, Cavendish-square, shall be reconveyed to and vested in the said Harriet Brownlow Byron, her executors, administrators, and assigns, if the dissolution shall take place in her lifetime; but if the same shall take place after her decease, then the superior and sisters for the time being shall have power, on such dissolution, to order the sale and conversion of the whole of the property and effects thereof, both real and personal, into money; and the clear monies produced thereby, after paying all expenses attending such sale and conversion, and all debts owing from or on account of the society, shall be disposed of to such charitable purposes in connection with the Church of England, and in such manner, and, if thought fit, in such shares or proportions, as the trustees shall determine at a meeting specially called for that purpose, and which shall be held not less than three nor more than six calendar months after the sale shall have been completed.

Appendix, No. 4.

23. Whenever the word "sisters" is used in the foregoing Statutes without the word "probationers," it shall be taken to mean confirmed sisters.

In witness whereof the said William Upton Richards as chaplain; the said Benjamin Lancaster as auditor; the said Walter Carew Cocks, Philip Charles Hardwicke, Benjamin Lancaster, and John Edward Buller as trustees, the said Harriet Brownlow Byron, as superior, and the several sisters of the said society have hereunto set their hands and seals, the Eighteenth day of January, in the year of our Lord One thousand eight hundred and fifty-nine.

W. Upton Richards, Chaplain. (L. S.)
Benjamin Lancaster. (L. S.)
Walter Carew Cocks. (L. S.)
Philip Charles Hardwick. (L. S.)
Benjamin Lancaster. (L. S.)
John Edward Buller. (L. S.)
H. Brownlow Byron, Superior, &c. &c. (L. S.)

Signed, sealed, and delivered by the within-named William Upton Richards, John Edward Buller, Harriet Brownlow Byron, Sarah Jane Easton, Ellen Harriet Brewer, Mary Anna Greane, and Charlotte Smith, in the presence of

William Davis, 3, Bentinck-place, St. John's Wood.

Signed, sealed, and delivered by the within-named Philip Charles Hardwicke, in the presence of

William Davis.

Signed, sealed, and delivered by the within-named Eliza Harriet Crofts, in the presence of

William Davis.

Signed, sealed, and delivered by the within-named Benjamin Lancaster and Walter Carew Cocks, in the presence of

William Davis.

Signed, sealed, and delivered by the within-named Anne Benham, in the presence of

William Upton Richards.

We, the undersigned, do hereby severally agree to be bound by and observe all and every the Statutes and rules of the Society of the Sisters of the Poor established by the foregoing deed, so far as the same are applicable to us respectively, God being our helper.

H. Brownlow Byron, Superior, &c. &c.

Appendix, No. 5.

PAPER handed in by Mr. *Charles E. Freeman.* Appendix, No. 5.

(1.) Statutes of the House of Mercy, Clewer.
(2.) Regulations for the Application and Management of the Community Fund of the Institution called "The Clewer House of Mercy."
(3.) Rules of the Sisterhood of S. John Baptist.

(1.)

THE STATUTES of the HOUSE of MERCY, *Clewer*, made on the 9th June 1854, with the Alterations agreed to by the Council on the 16th and 30th May 1863, and sanctioned by the Visitor on the 20th June 1863; also further Alterations agreed to by the Council on the 1st June 1869, and sanctioned by the Visitor on the 8th June 1869; and those agreed to by the Council on the 11th January 1870.

THE PRESENT OFFICERS AND COUNCIL OF THE HOUSE OF MERCY AT CLEWER.

The Right Rev. Father in God, John Fielder, Lord Bishop of Oxford, Visitor.
The Rev. Thomas Thellusson Carter, Rector of Clewer, Warden.
The Rev. W. H. Hutchings, Clerk, Sub-Warden.

COUNCIL.

The Right Rev. Bishop Chapman.
The Right Rev. the Hon. Charles Amyand, Lord Bishop of Gibraltar.
The Rev. Frederick Anson, Canon of Windsor.
The Rev. Edward Balston, D.D., Fellow of Eton College.
The Rev. Edward Coleridge, Fellow of Eton College, and Rector of Mapledurham, Oxon.
The Rev. Charles Wellington Furse, Vicar of Staines, Middlesex.
The Rev. C. O. Goodford, Doctor of Divinity, Provost of Eton College.
The Rev. John Edward Hall, Clerk, of Cleveland Terrace, London.
The Rev. John Wilder, Clerk, Fellow of Eton College.
The Right Hon. Sir John Taylor Coleridge, one of Her Majesty's Most Honourable Privy Council.
Charles George Barnett, of Sunning Hill, in the county of Berks, Esq.
Charles Edward Freeman, of Warwick Crescent, in the county of Middlesex, Esq.
Brownlow Edward Layard, of Windsor, in the county of Berks, Esq.
Charles Spencer Perceval, of Eccleston-square, in the county of Middlesex, Esq.
Charles Randell, of Tillingbourne, in the county of Surrey, Esq.
James William Moses West, of Park-street, Windsor, in the county of Berks, Esq.
Sir Charles Lawrence Young, of Inverness Terrace, in the county of Middlesex, Bart.

TRUSTEES.

The Right Rev. Father in God, Samuel, Lord Bishop of Winchester.
The Right Hon. William Ewart Gladstone, First Lord of Her Majesty's Treasury.
The Rev. Edward Coleridge, Fellow of Eton College, and Rector of Mapledurham, Oxon.
The Rev. Thomas Thellusson Carter, Rector of Clewer.

TREASURERS.

Charles Blandy, of Reading, in the county of Berks, Esq.
Augustus Arthur, of Malvern, in the county of Worcester, Esq.

Appendix, No. 5.

THE Preamble of the Statutes executed on the 9th of June 1854, stated, that in the name of the Holy and Undivided Trinity, and for the well-being of Christ's Holy Catholic Church, established in this land, the several persons therein-named agreed upon and adopted certain Statutes for the due order and government of the said House of Mercy, which was established for the Reception and Reformation of Females who have sinned against the Divine law of Chastity; and which Statutes they adopted, with the desire and intent that, through the blessing of God, the principles on which the said House of Mercy had been founded might be always preserved unchanged and inviolate; and that it might ever be conducted and carried on in accordance with the true Christian Faith, as it is set forth in the doctrine and discipline of the Church of England, to the glory of Almighty God, and the eternal salvation of souls for whom Christ died.

STATUTES made on the 9th June 1854, with the alterations agreed to by the Council on the 16th and 30th May, and sanctioned by the Visitor on the 20th June 1863; and further alterations agreed to by the Council on the 1st June, and sanctioned by the Visitor on the 8th June 1869; also alterations agreed to by the Council on the 11th January 1870.

Fundamental.

I. That the object of the said institution, called the Clewer House of Mercy, is the reception and protection of women who have led unchaste lives, with a view, by means of such reception and protection, to their reformation and ultimate safe establishment, either in some reputable calling by which to earn a livelihood, or otherwise; and such institution shall consist of a visitor, a warden, a superior, sisters (who shall be designated by the style and title of Sisters of S. John the Baptist), a council, trustees, and two treasurers.

Fundamental.

II. The bishop for the time being of the diocese in which the said institution is situated, shall be the visitor, if he will accept that office; but if he shall refuse, then the council shall select such person as they shall think fit, until there shall be a new bishop of the same diocese, when the office shall be offered by the council to such new bishop; and so, from time to time, such bishop for the time being of the said diocese, or, in case of his refusal, the person so elected by the council as aforesaid, shall be the visitor for the time being. And such visitor shall have full power and authority, as well upon his own mere motion as upon appeal lodged, or complaint made, to do and order all those things which appertain by law to the office of visitor, or which shall be hereinafter specially provided.

Fundamental.

III. The warden shall be a clergyman of the Church of England in priest's orders.

Fundamental.

IV. On every vacancy in the office of warden, the council shall nominate, in writing, a successor, to the fully admitted sisters of the first class; and if they shall, by a majority of votes at a meeting specially convened for that purpose, approve of the person so nominated, and notify their approval to the council, such person shall then succeed to the office; but if their approval be not so notified within 21 days from the communication of such nomination to the superior, then the council shall, in like manner, nominate another person for approval, and if the approval by the sisters of such second nomination be not notified to the council within one calendar month from the communication thereof to the superior, then the appointment shall lapse to the visitor.

Fundamental.

V. The warden shall not be removable from his office except by a vote of at least three-fourths of such members of the council as shall be present at a meeting specially convened for the purpose of taking into consideration the propriety of such removal, nor unless such vote be confirmed by the visitor.

Fundamental.

VI. The warden shall perform, or be responsible for the due performance of, the religious services, and superintend the teaching and spiritual discipline of the inmates.

VII. The warden shall have power, with the approval of the council, from time to time, to appoint a sub-warden, who shall assist him in the performance of such of his duties as he may assign to him, and such sub-warden shall, during every vacancy in the office of warden, perform the duties thereof.

VIII. The sub-warden shall be a clergyman of the Church of England in priest's orders.

Fundamental.

IX. The warden and sub-warden, to qualify them for their offices, must obtain the license of the bishop of the diocese, and be subject to his authority as other clergymen officiating under his license.

X. The sub-warden may be dismissed by the warden, or by a vote of at least three-fourths of such members of the council as shall be present at a meeting specially convened for the purpose of considering the propriety of such dismissal.

Fundamental.

XI. The superior shall be a fully-admitted sister of the first class, and shall be appointed in manner hereinafter-mentioned, and shall (subject to the superintendence of the warden) have

have the government of the sisters and inmates of the said institution, and of the household thereof.

XII. On every vacancy in the office of superior, the warden shall nominate in writing, to the fully admitted sisters of the first class, a successor; and if they shall, by a majority of votes, approve of the person so nominated, such person shall then succeed to the office; but if such nomination shall not be so approved within 21 days, then the warden shall in like manner nominate another person for approval, and if such second nomination be not approved of within one calendar month from the communication thereof to the assistant superior, or if there shall not be an assistant superior, then to the senior sister in order of admission of the first class, then the appointment shall lapse to the visitor; and the warden shall report such appointment to the council at their next subsequent meeting. Fundamental.

XIII. The superior shall continue in office for the period of three years, but may, at the end of that period, be re-appointed.

XIV. The superior may be removed by the visitor on complaint of the council or warden, but the warden shall not lay such complaint before the visitor until it shall have been previously submitted to, and considered by, the council, and also communicated to the sisters.

XV. The warden and superior may from time to time appoint any fully-admitted sister of the first class to be assistant superior for such period as they shall think proper; and during any vacancy in the office of superior, or during the absence or incapacity of the superior by reason of illness, such assistant shall perform the duties of that office. And if on any such vacancy, absence, or incapacity, there shall be no assistant superior, the senior sister of the first class in order of admission shall act as superior for the time being.

XVI. The assistant superior may be removed by the warden and superior.

XVII. There shall be two classes of sisters—the first class and the second class—each class consisting of sisters fully admitted after probation, and sisters probationary, the term and nature of probation to be settled in the regulations hereinafter mentioned; but the warden and superior (or warden alone in case of a vacancy in the office of superior) shall be at liberty to shorten the period of probation at his discretion in any particular case. The warden, superior, and fully-admitted sisters of the first class shall have power from time to time to constitute one or more classes of sisters in addition to the above, provided that such addition or additions shall have the sanction of the visitor, and be afterwards reported to the council. Fundamental.

XVII.* The warden and superior shall have power, with the approval of the visitor, to form a body of associates, male and female, to assist in the works carried on by the sisters, provided that the regulations for the admission and guidance of such associates be accessible to the council.

XVIII. No person shall be admitted as sister probationary unless a member of the Church of England, nor without the written consent of her parents if under the age of thirty years; such admission to be made by the warden and superior, except during a vacancy in the office of superior, and then such admission may be made by the warden alone. Fundamental.

XIX. Every sister shall have full and uncontrolled liberty, whenever she shall think fit, to leave the institution. Fundamental.

XX. Every sister shall, upon admittance to probation, agree to be bound by and observe all the statutes and regulations of the institution applicable to herself. Fundamental.

XXI. The warden and superior may, with the consent of the majority of the sisters fully admitted of the first class, make and vary such regulations for the internal management and discipline of the sisters in or out of the house as shall be consistent with the statutes of the institution, and be approved of by the visitor, and such regulations shall be accessible to all members of the council. Fundamental.

XXI.* The sisters shall be free to engage in any other work than that defined in Statute I., provided that no such work be undertaken without the consent, in writing, of the visitor first obtained, and also the approval of the bishop of the diocese, and of the incumbent of the parish in which the work is to be carried on: Provided that the council shall incur no pecuniary responsibility on account of such work, and provided that the undertaking of such work shall be communicated to the council at their next subsequent meeting. Fundamental.

XXII. Penitents shall be admitted or discharged by the warden and superior, provided that none shall be retained in the house for a longer period than two years without the consent of the council.

XXIII. The numbers of the sisters resident in the house and penitents shall be determined from time to time by the council, but the warden shall annually report to the council the entire number of each class of sisters, whether in or out of the house.

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XXIV. The council shall consist of nine clergymen, and nine laymen in full communion with the Church of England, together with the warden, subwarden (if any), and treasurers, and, except in cases, specially provided, four members shall form a quorum.

XXV. Every vacancy in the council shall be filled up by a majority of the members present at a meeting thereof, notice of the vacancy having been given in the summons for such meeting.

Fundamental.

XXVI. The expenditure of the institution, and also the amount of all salaries or wages paid to any of the officers, or servants, or labourers thereof, shall be under the entire control and management of the council, but the hiring of menial servants or labourers shall be by the warden and superior together.

XXVII. The council shall have power to appoint and remove a secretary and other officers.

XXVIII. The council shall have power to make and vary bye-laws for the government of its own body, and of any committee thereof.

XXIX. All meetings of the council shall commence and conclude with prayer, and at each meeting of the council, or of any committee thereof, the members present shall, before proceeding to transact any other business, elect a chairman of that meeting, who shall have a second or casting vote in every case of an equality of votes of the members present thereat.

Fundamental.

XXX. Neither the council nor any member thereof, simply as such, shall have any power to interfere in the internal management, regulations, or discipline of the house. But if at any time it shall appear to any member that any proceedings in the house, or of any inmate thereof, ought to be inquired into, he may, by a requisition in writing, signed by himself and two other members of the council, and stating the matter to be inquired into, require the secretary to call a special meeting of the council to take such matter into consideration, and the secretary shall thereupon forthwith call such special meeting at some time, not being less than five days nor more than ten days from the day on which such requisition shall be delivered to him. And if it shall appear to a majority of the members assembled at such meeting that the matter requires further investigation, their resolution shall forthwith be communicated to the visitor, who shall be requested to inquire into the matter with all convenient speed, and to communicate his judgment thereon in writing to the council.

XXXI. All the real estates and chattels real, and all moneys invested in the public stocks or funds, respectively belonging to the institution, shall be respectively conveyed and assigned unto and invested in the names of the trustees for the time being of the institution, except such estates and moneys as are mentioned in Rule XXXIII.; and such trustees shall from time to time dispose of such real estates and chattels real, either by way of absolute sale, or by demising or leasing such real estates and chattels real, or any of them, and also of such stocks or funds, by sale, transfer, or other disposition thereof, as the council shall from time to time direct; but in order to facilitate every sale which may be made, and every lease which may be granted, of any such real estates and chattels real, by the trustees thereof for the time being, such trusts and provisions shall be inserted in every conveyance and assignment which shall be made, and be executed either on the original or any other conveyance or assignment of such real estates and chattels real respectively, as will effectually authorise and empower the trustees or trustee for the time being, under such conveyance and assignment, to sell and demise the premises therein comprised, and to give effectual receipts to purchasers and others without the necessity of any consent of or direction by any other person or persons whomsoever; and also a power in case of the death, resignation, refusal, or incapacity of any trustee or trustees for the time being under such conveyance or assignment for the surviving, or continuing, or other trustees or trustee, or the executors or administrators of the last surviving trustee, to appoint a new trustee or new trustees without the consent of any other person or persons whomsoever, and all such other powers and provisions whatsoever, as the counsel in the law of the said institution shall advise as necessary for the purpose of relieving all purchasers, lessees, and others, from the obligation of inquiring into the necessity or propriety of any sale or sales, or seeing to the application, or being answerable for the misapplication, of any purchase or other moneys paid to or received by the trustees or trustee for the time being under such conveyance or assignment.

XXXII. Whenever any trustee or trustees shall die, or desire to be discharged, or shall refuse or become incapable to act, the council shall nominate and appoint a successor or successors. But this provision shall not supersede the power of appointing new trustees contained in such original conveyance or assignment of any of the real estates or chattels real, being the property of the institution as aforesaid; but the person or persons for the time being entitled to exercise the said power of appointment shall be requested to and shall exercise the same in accordance with the provisions of this statute, and appoint the person or persons so nominated by the council as aforesaid; and on every appointment of a new trustee or new trustees, all the property then vested in the trustees for the time being shall be so dealt with that the same may be effectually vested in such new trustee or

or trustees, and the surviving or continuing trustees, or, if there shall be no surviving or continuing trustee, then in the new trustees only. The trustees shall pay all rents, dividends, and other annual produce, and all other moneys received from time to time by them, whether capital or annual income, into the hands of the bankers for the time being of the institution, to the account and credit of such institution; and such payment shall be a sufficient discharge to the trustees for the moneys so paid by them.

XXXIII. Real estates, chattels real, and personal property may be given, devised, or bequeathed to the warden, superior, and treasurers of the institution for the time being, as trustees of a fund to be called the "Community Fund." The capital and income of this fund shall be applied and disposed of by a council to be called the "Council of Finance of the community fund," which council of finance shall consist of the superior and assistant superior for the time being of the said institution, and five of the fully-admitted sisters of the first class, who shall be elected annually at a meeting (to be held at the Clewer House of Mercy for that purpose) of so many of the fully-admitted sisters of the first class as shall assemble at such meeting. Such capital and income of the community fund shall be applied and disposed of as follows; that is to say, in the first place, the council of finance shall apply the same for the maintenance and support of the sisters for the time being of the said institution, and subject thereto, for such objects of mercy and benevolence as the said council of finance of the community fund, with the concurrence always of the warden for the time being, shall think fit, except only that of every sum of 1,000 *l.* applied or disposed of for objects of mercy or benevolence, 30 *l.* at least shall be applied through the offertory of the parish church of Clewer, for such purposes of the Church of England, either in the United Kingdom or abroad, as the said council of finance of the community fund shall, in their uncontrolled discretion, think fit. Any regulation not inconsistent with these statutes relative to the time convening, and conduct of the general meeting hereinbefore referred to, or of any other meeting of sisters, and the mode of making the said elections, and the time convening and conduct of meetings of the said council of finance of the community fund, and the person or persons by whom moneys paid into the bankers to the credit of the said community fund may be drawn out, or relative to any one or more of such matters, or to any like matters, may from time to time be made, altered, or repealed by the superior and assistant superior for the time being, and the fully-admitted sisters of the first class, or such of them as shall assemble at any meeting which may be convened for that purpose; and such regulations relative to all or any of the matters aforesaid as have already been made by the said superior, assistant superior, and sisters of the first class, shall be considered as in force until altered or repealed as aforesaid. The warden, superior, and treasurers shall, from time to time, dispose of all real and personal property vested in them, either by way of absolute sale, or by devising or leasing such real estates and chattels real, or any of them; and also of such personal property by sale, transfer, or other disposition thereof, as the said council of finance of the community fund shall from time to time direct; but in order to facilitate every sale which may be made, and every lease which may be granted of any such real estates, or chattels real, by the warden, superior, or treasurers for the time being, such trusts and provisions shall be inserted in every conveyance and assignment which shall be made, and be executed, either in the original or any other conveyance or assignment of such real estates and chattels real respectively, as will effectually authorise and empower the warden, superior, and treasurers for the time being, under such conveyance and assignment, to sell and devise the premises therein comprised, and to give effectual receipts to purchasers and others, without the necessity of any consent of, or direction by, any other person or persons whomsoever; and also a power whenever a warden, superior, or treasurers for the time being shall die, resign, refuse, cease to hold, or become incapable of discharging the duties of his, her, or their office, for the surviving or continuing warden, superior, or treasurers for the time being, to appoint the successor in the office of the person or persons so dying, resigning, vacating, or becoming incapable as aforesaid, to be a new trustee or new trustees, without the consent of any other person or persons whomsoever, and all such other powers and provisions whatsoever, as the counsel in the law of the said institution shall advise as necessary for the purpose of releasing all purchasers, lessees, and others from the obligation of inquiring into the necessity or propriety of any sale or sales, or seeing to the application, or being answerable for the misapplication, of any purchase or other moneys paid to or received by the warden, superior, or treasurers for the time being, under such conveyance and assignment. Whenever a warden, superior, or treasurer shall die, cease to hold office, desire to be discharged, or refuse or become incapable to act, the successor in the office of the person so dying, ceasing to hold office, resigning, desiring to be discharged, or refusing or becoming incapable to act, shall be a trustee of the community fund in the place of the person so dying, ceasing to hold office, resigning, desiring to be discharged, or refusing or becoming incapable to act. But this provision shall not supersede the power of appointing new trustees, contained in such original conveyance and assignment, or declaration of trust, of any of the real estates, chattels real, or personal property, being the property of the community fund as aforesaid; but the person or persons for the time being entitled to exercise such appointment shall be requested to and shall exercise the same in accordance with the provisions of this statute, and shall appoint the person or persons aforesaid accordingly; and on every appointment of a new warden, superior, or treasurer, or any or either of them, all the property then vested in the surviving or continuing warden,

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superior, or treasurers for the time being, shall be so dealt with that the same may be effectually vested in such new warden, superior, or treasurers, and the surviving or continuing warden, superior, or treasurers, or if there shall be no surviving or continuing warden, superior, or treasurers, then in the new warden, superior, and treasurers only. The warden, superior, and treasurers for the time being shall pay all rents, dividends, and other annual produce, and all other moneys received from time to time, whether capital or annual income for, or belonging to, the community fund, into the hands of the bankers for the time being of such community fund, to the account and credit of "The community fund" of such institution; and such payment shall be a sufficient discharge to the warden, superior, and treasurers for the moneys so paid by them.

Fundamental.

XXXIV. The treasurers shall be members of the Church of England, and in full communion therewith.

XXXV. The treasurer shall be appointed annually by the council; but the treasurers of the past year, or either of them, may, on going out of office, be re-appointed; and if the treasurers, or either of them, shall die, resign, or become disqualified, before their or his period of office shall expire, the council shall appoint other treasurers or treasurer in the place of such deceased, resigned, or disqualified treasurers or treasurer; and such new treasurers or treasurer shall continue in office for the same period as the former treasurers or treasurer would have continued in office, and shall have the like privilege of being re-appointed at the expiration of such period of office.

XXXVI. The council shall appoint one or more bankers, to whom shall be paid all moneys that may be received by the treasurer, collector, or any other person or persons, on account of the institution, whether for donations, annual subscriptions, or otherwise; and such moneys shall be drawn from the bankers, under such regulations and restrictions as shall from time to time be ordered by the council.

XXXVII. The treasurers shall keep an account book, in which shall be entered all moneys paid to them or to their credit, and of all moneys paid by them; and such account shall be audited on or before the 1st of May in every year, by the council, or any two members thereof (not being either of them a treasurer), deputed by the council to be the auditors for that occasion.

XXXVIII. All deeds and other muniments of title, and all such other documents and writings belonging to the institution, or relating thereto, or to the property thereof, as the council shall think fit, shall be kept at the bankers for the time being of the institution, unless the council shall direct the same, or any of them, to be kept in any other place.

Fundamental.

XXXIX. If from want of funds, or any other cause, the institution shall fail, the council shall have power, by the vote of not less than three-fourths of the members present, at each of two successive meetings specially called for that purpose, the second of such meetings being held at an interval of not less than one calendar month, nor more than three calendar months, from the day on which the first of such meetings shall have been held, to dissolve the institution, and to order the sale and conversion of the whole of the property and effects thereof, including the community fund (if any), both real and personal, into money; and the clear moneys produced thereby, after paying all expenses attending such sale and conversion, and all debts owing from or on account of the institution, shall be disposed of to such charitable purposes in connection with the Church of England, and in such manner, and if thought fit, in such shares or proportions as the council shall determine at a meeting specially called for that purpose, and which shall be held not less than three nor more than six calendar months after the sale shall have been completed.

Fundamental.

XL. No alteration shall be made in any fundamental statute of the institution, unless with the consent (which may be given in writing) of at least three-fourths of the council, nor shall any such change take effect without the sanction, in writing, of the visitor.

Fundamental.

XLI. In order more clearly to explain the statute lastly hereinbefore contained, numbers I., II., III., IV., V., VI., IX., XI., XII., XVII., XVIII., XIX., XX., XXI., XXI.,* XXVI., XXX., XXXIV., XXXIX., XL., and XLI., shall be, and are hereby declared to be, fundamental statutes; and statutes not fundamental may be altered by a majority of two successive meetings of the council convened for that purpose.

FORM of LEGACY to the Clewer House of Mercy.

I BEQUEATH to the treasurers for the time being of the institution called or known as "The Clewer House of Mercy," to and for the general uses and purposes of the said institution, a legacy of £. sterling, for which the receipt of such treasurers of the said institution for the time being shall be a sufficient discharge; such charitable legacy to be paid exclusively out of such part of my pure personal estate as may lawfully be appropriated to such purposes, and in preference to any other payment thereout.

FORM of LEGACY to the Community Fund of the Clewer House of Mercy.

I BEQUEATH to the warden, superior, and treasurers of the institution called or known as "The Clewer House of Mercy," as trustees of a fund called or known as "The Community Fund," of the said institution, to and for the uses and purposes of the said community fund a legacy of £. sterling, for which the receipt of the treasurer or treasurers of the said institution for the time being shall be a sufficient discharge, such charitable legacy to be paid exclusively out of such part of my pure personal estate as may lawfully be appropriated to such purposes in preference to any other payment thereout.

(2.)

REGULATIONS for the Application and Management of the Community Fund of the Institution called THE CLEWER HOUSE OF MERCY.

I. Subject to the following regulations, the community fund shall be applied and disposed of by the council of finance of the community fund.

II. The council of finance of the community fund shall consist of the superior and assistant superior for the time being, of the said institution, and of five fully-admitted sisters of S. John Baptist of the first class, to be elected as hereinafter provided.

III. On the Thursday next before S. Andrew's Day in every year, so many of the fully-admitted sisters of S. John Baptist, of the first class as can conveniently assemble, shall meet together in chapter at the Clewer House of Mercy, at 11 o'clock in the forenoon, for the purpose of electing five of the fully-admitted sisters, to form, with the superior and the assistant superior for the time being of such institution, the council of finance of the community fund. At each such chapter, the superior for the time being of the said institution, or if there shall be no superior, then the assistant superior for the time being, shall nominate 10 fully-admitted sisters of S. John Baptist of the first class; and of the 10 sisters so nominated, five shall be elected to form, with the superior and assistant superior for the time being, the council of finance of the community fund.

IV. At every such chapter the superior for the time being of the said institution, if present, or if she be not present, the assistant superior, if present, shall act as president of the chapter. But if at any chapter neither the superior nor the assistant superior be present, then some fully-admitted sister of S. John Baptist, of the first class, shall be chosen by the fully-admitted sisters of S. John Baptist of the first class present at the chapter, to be the president of the chapter.

V. At every such chapter each fully-admitted sister of S. John Baptist attending the chapter shall have one vote upon each question submitted to the chapter, and if on any question there shall be an equality of votes, the president of the chapter shall have a casting vote in addition to her vote as a sister.

VI. The president may, with the consent of the chapter, adjourn any chapter from time to time, and from place to place.

VII. At any chapter, unless a poll be demanded by at least four sisters, a declaration by the president that a resolution has been carried shall be sufficient evidence of the fact without proof of the number of votes given in favour of or against such resolution.

VIII. Elizabeth Moreton, Jane Pedder, Alice Stuart, Harriet Parish, and Elizabeth, Katherine Huddleston, being respectively fully-admitted sisters of S. John Baptist of the first class, shall form, with Harriet Monsell, superior, and Ellen Nixon, assistant superior, for the time being of the said institution, the first council of finance of the community fund, and may continue in office till the Thursday next before S. Andrew's Day in the year of our Lord 1868, on which day they shall respectively retire from office, but any three of the sisters then retiring from office may be re-elected.

IX. At the chapter to be held on the Thursday next before S. Andrew's Day in the year of our Lord 1868, and at any subsequent chapter, the whole of the sisters for the time being in office shall retire from office, and two of such retiring sisters shall not be re-eligible until they have been out of office for a period of two years at least.

X. If any of the sisters so elected as aforesaid shall die, resign, or retire from office during the year for which she shall have been elected, then, and so often as the same shall happen, the members for the time being of the council of finance of the community fund may, if they think fit, elect some other fully-admitted sister of S. John Baptist, in the place of the sister who shall have so died, resigned, or retired from office, and the

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sister elected to supply the vacancy shall continue in office until the next yearly meeting.

XI. The council of finance of the community fund may meet together for the dispatch of business, adjourn, and regulate their meetings, as they may think fit. But the said council shall meet together, for the dispatch of business, four times at least in every year, namely, in the months of February, May, August, and November.

XII. At any meeting of the said council, at which the superior or assistant superior for the time being of the said institution shall be present, three members of the said council shall form a quorum.

XIII. At each meeting of the said council, one of the members present shall be chosen by the meeting to be president of the meeting.

XIV. All questions arising at any meeting of the said council shall be decided by a majority of votes of the members of the said council present, each member having one vote. But in case of an equality of votes, the president of the meeting shall have a casting vote in addition to her vote as member.

XV. All moneys, and the income of the proceeds of the sale of all real and personal property, which shall be given or bequeathed to or for the said community fund, shall be paid into the hands of the bankers for the time being of the said institution, to the credit of an account to be called "The Community Fund." And the same may be paid out upon cheques or orders signed by the superior for the time being of the said institution, or any two members of the said council of finance.

XVI. The community fund shall be applied and disposed of as follows: that is to say, in the first place, the said council of finance shall apply the same, for the maintenance and support of the sisters for the time being of the said institution. And subject thereto, the same may be applied and disposed of by the council to and for such objects and works of mercy and benevolence as the said council, always with the concurrence of the warden for the time being, shall think fit, except only that of every sum of 1,000 *l.*, applied or disposed of, for objects of mercy and benevolence, the sum of 30 *l.* at least shall be applied through the offertory of the parish church of Clewer, for such purposes of the Church of England, either in the United Kingdom or abroad, as the said council shall in their uncontrolled discretion think fit.

XVII. Lastly, the said council shall in each year cause an account to be made up showing the state of the community fund, and what sums have been received on account of such fund, during the year comprised in such account, and in what manner the same have been applied and disposed of. And at every yearly chapter, the account for the year immediately preceding such chapter shall be produced for the inspection and information of the sisters.

These regulations shall be binding upon all the sisters of the said institution, and in testimony of our assent to be bound by such regulations, we, the undersigned, have hereunto subscribed our respective names.

Dated 16 February 1867.

(3.)

RULES OF THE SISTERHOOD OF S. JOHN BAPTIST.

Community of S. John Baptist.

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

The community of S. John Baptist is instituted for the diligent, faithful, and loving practice of spiritual and corporal works of mercy; more especially for the moral and spiritual restoration of fallen women, the receiving and training of orphans and children, the care of the sick and infirm, and for mission work both at home and abroad.

It consists of a sisterhood formed of two orders, and of associates, men and women.

The Sisterhood of S. John Baptist.

The sisters, called by the love of God into a special union with His only begotten Son, and to the blessing of carrying on such works of mercy as in the days of His ministry He instituted, humbly seek, through the sacramental power of a consecrated life, to cherish Christ in themselves, and reveal Him to others, so that, after the example of S. John Baptist, He in them may increase while they decrease, ever bearing witness to the True Light, and directing both themselves and others to the Lamb of God, that taketh away the sins of the world. Thus waiting and watching for His return, they long to prepare the way of their Lord, and to make straight in the desert a highway for their God.

The sisterhood is formed without vows, for the observance of the rules of poverty, chastity, and obedience, in which state of life the sisters offer themselves perpetually to God, to live alone for His glory, in the love of Jesus, and to serve Him in the persons of His poor and suffering ones.

Collect.

Almighty God, by Whose providence Thy servant John Baptist was wonderfully born, and sent to prepare the way of Thy Son our Saviour, by preaching of repentance, make us so to follow his doctrine and holy life, that we may truly repent according to his preaching; and after his example constantly speak the truth, boldly rebuke vice, and patiently suffer for the truth's sake; through Jesus Christ our Lord. Amen.

Of the Sisterhood.

The sisters of S. John Baptist are of two orders.

The first order consists of two classes, choir and lay sisters.

The choir sisters say the office for the hours, and vote in chapters of the sisterhood.

The lay sisters do not by rule say the office, and have no vote in chapter.

The sisters of the second order embrace the sister's life for a period of three years at a time. They are not bound by rule to say the office, and have no vote in chapter.

Rules.

I. Sisters are admitted on probation by the warden and superior, after passing six months as postulants. The ordinary period of probation shall be,

For choir sisters, two years.

For lay sisters, four years.

After such probation, a sister, if desirous of joining the sisterhood, must obtain the approval of the warden and superior, and the consent of a majority of the confirmed sisters. She is then required to make a promise of obedience to the rules and regulations, in the chapel of the house, in a form approved by the visitor; and at the same time, or as soon after as possible, receives the benediction of the bishop, the visitor of the house.

Such shall be called confirmed sisters.

II. A confirmed sister cannot be removed except for some grave cause, to be determined by the concurrent judgment of the warden and superior, after the cause of complaint has been laid before the chapter, nor till such decision shall have been approved by the visitor.

III. The sisters shall preserve their own baptismal names.

IV. The offices of the sisterhood are as follows—

The Superior.	The Bursaress.
The Assistant Superior.	The Secretary.
The Mistress of the Novices.	The Infirmarian.
The Sisters Superior of the Branch Houses.	The Sacristan.
	The Precentor.

The superior is elected for three years, according to the statutes, but may be re-elected.

All other offices are appointed and changed at the discretion of the warden and the superior.

At the appointment or re-appointment of the superior, the assistant superior and the mistress of the novices cease to hold office, but they may be re-appointed.

Confirmed sisters only can hold offices in the sisterhood.

V. Sisters may not be sent as superiors of other sisterhoods.

VI. The confirmed sisters only shall have a voice in such matters as are by rule referred to the sisters.

VII. A general chapter shall be held in every year, on the Thursday next before S. Andrew's Day, at 11 o'clock, for the purpose of electing the counsel of finance for the ensuing year, and for the mutual consideration and arrangement of matters connected with the sisterhood and its works.

VIII. The superior shall be empowered, with the consent of the warden, to hold other chapters of the sisterhood, at other times, for the consideration of any subjects it is desired to submit to the judgment of the sisters.

IX. Subjects for consideration of the chapter can be introduced only with the consent of the warden, and notice of such subjects must be given by the superior to the sisters superior of the branch houses of the sisterhood, 15 days before the chapter is held. Such subjects may be discussed by the confirmed sisters among themselves, but may not be spoken of to anyone else.

X. The chapter shall commence with the invocation of the Holy Trinity, and the Collect for Whitsunday, to be said standing.

The sisters shall then take their seats in their proper order. The subjects to be discussed shall be proposed by the superior. The votes are taken in order, the youngest sister voting first.

The chapters shall close with the Collect for Quinquagesima Sunday, the Gloria Patri, and the Grace of our Lord Jesus Christ.

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XI. All acts of the chapter must be confirmed by the warden before they becom valid, when they shall be recorded by the secretary, in a book kept for that purpose, copies of which must be sent to the sisters superior of the branch houses within 15 days after being so recorded. Questions thus decided in chapter shall not be afterwards discussed.

XII. The chapters for voting for the appointment of the superior, or for the confirmation of a sister, shall be held in the chapel.

The confirmed sisters shall assemble in the chapel at the time fixed by the warden. After prayer for the guidance of the Holy Spirit, the warden standing on the step in front of the altar, shall receive the votes of the sisters, commencing with the youngest sister. Having examined the votes, he shall declare whether the sister is elected or not.

In case of want of unity in the votes, so that but a small majority is in favour of the confirmation, the decision shall be at the discretion of the warden.

After such decision, the election of sisters is not to be made a subject of discussion.

XIII. Sisters having no personal knowledge of the novice proposed for election may remain neutral.

XIV. The consent of the sisters in chapter must be obtained before any new work shall be undertaken by the sisterhood.

XV. Sisters who are able, are expected to contribute each 50 *l.* annually to the community fund, but this sum may be increased at the desire of any sister.

XVI. The sum to be contributed by each sister, shall be settled between herself and the warden and superior; the arrangement being strictly confidential.

XVII. In the event of any sister desiring to give or bequeath any property to the community, or any of its houses, she shall satisfy the visitor that she has informed the next of kin, or the next in degree, if more than one (or give to the visitor a sufficient reason for her not having done so), of her intention, that any objections on their part may be duly considered, and that they may have the opportunity of laying such objections before the visitor.

XVIII. Out of the fund so raised, a provision shall be made for the sisters in health, sickness, and old age.

XIX. The different works shall be distributed by the superior among the sisters, as far as possible, in distinct departments.

XX. In this distribution, the abilities and inclinations of each sister shall be as far as possible considered.

XXI. Each sister shall receive from the superior a time-table, in which the order and arrangement of her daily work, reading, &c., shall be definitely fixed. This time-table shall be subject to alteration, at the discretion of the superior.

XXII. The sisters shall give such reports of their work to the warden and superior as may be required.

XXIII. The services of the chapel, its internal arrangements and furniture, as well as the forms of prayer used in the sisterhood, shall be under the general control of the warden, subject to the authority of the visitor.

XXIV. The hours of common prayer in the chapel of the house, are,

Matins.	Nones.
Lauds.	Evensong.
Prime.	Vespers.
Terce.	Compline.
Sext.	

When any of the sisters are prevented from being present at any of these services, it is desired that they should observe the hour, by uniting themselves in spirit with those who are engaged in the direct worship of God in the chapel.

XXV. The times of the several services shall be appointed, and may be varied as seems expedient, by the warden.

A bell shall be rung five minutes before each service.

XXVI. The Church service shall be read once at least every day.

The Litany shall be used on Wednesdays and Fridays.

XXVII. No sister shall absent herself from any service in chapel, except by the permission of the superior.

XXVIII. Every Friday evening, a special service of prayer shall be held by the sisters, for a blessing on the sisterhood and its associates, and the works in which they are engaged.

XXIX. The

XXIX. The Holy Communion shall be administered daily.

XXX. The superior shall allot to the sisters at least one hour daily, for private devotion and religious study.

XXXI. One day in every month shall, when it is possible, be allowed for self-examination and private devotion.

XXXII. The sisters, when absent from the sisterhood, are at liberty to go to any clergyman of the Church of England, approved by the warden, for counsel and advice.

XXXIII. As it is impossible for the members of such a body to live together in daily intimacy and affection without the religious exercises and devotional habits of one affecting another, the religious books and habits of devotion used in the sisterhood shall be such only as are allowed by the warden.

XXXIV. The hour of rising shall be 6 a.m.

XXXV. The sisters shall retire to their bed-rooms not later than 10 p.m., and shall be in bed by 11 p.m.

XXXVI. In case of sickness, or from other sufficient cause, the rule for rising in the morning may be relaxed by the superior, but her permission must first be obtained.

XXXVII. If any sister desire to practise greater abstinence, or to shorten the regular period of rest for the purpose of devotion, she must first obtain the consent of the warden and superior, and, if the latter think it necessary, of the medical attendant also.

XXXVIII. The fast days appointed by the Church of England shall be observed by abstinence from all superfluities, and from meat so far as may be consistent with health.

XXXIX. The food provided at the regular meals shall be always of a plain and simple character. No food shall be provided out of the ordinary meal times, except with the express permission of the superior.

XL. That the day may begin and close with devotion, the sisters shall retire to their rooms after the last hour of prayer, except for some necessary duty, and with the approval of the superior.

XLI. The sisters shall observe silence in going to and from chapel, and likewise within the chapel, whether service be going on or not, unless it be for some necessary cause.

XLII. The warden and superior shall have power, with the consent of the majority of the confirmed sisters, to appoint other times when silence shall be observed in the sisterhood.

XLIII. The dress of the sisters shall be plain and uniform, made according to regulation, and without any unnecessary ornament.

XLIV. The furniture of the rooms shall be such only as is consistent with an unaffected simplicity.

XLV. Fires shall be allowed in the sleeping-rooms only by the express permission of the superior.

XLVI. The sisters shall not pass the gates, but at such times, and in such companionship, as the superior shall approve.

XLVII. A sister shall not go to the town alone, except under special circumstances, and with express permission.

XLVIII. The absence of a sister from the sisterhood, the duration and purpose of such absence, must be previously approved by the superior; such absence shall not exceed one month in any one year, except in cases of urgency, to be allowed by the warden and superior.

XLIX. A sister, when absent from the sisterhood, must be on her guard to lead a life consistent with her religious character.

L. A sister, when absent from the sisterhood, shall not attend other religious services in this country than those of the Church of England.

LI. Conversation on controversial subjects shall be abstained from by the sisters and ladies working with them.

LII. The sisters shall have free intercourse with their relations, who may visit them at any time, but the visits of other friends and the time of such visits must be previously approved of by the superior.

LIII. The correspondence of the sisters with their relations and friends shall be free and unrestricted; but they shall be careful that it does not interfere with their rule of life and appointed work.

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LIV. Sisters engaged in works of charity in the parish must act under the directions of the parish priest. Alms can be given to the poor by sisters only with the consent of the superior, and out of a special fund provided for the purpose.

LV. The sisters shall be careful to show towards the different objects of their care, in manner and speech, courtesy, gentleness, and sympathy, with a reserve such as becomes their relative positions, and is consistent with prudence and charity.

LVI. The sisters shall not speak to the penitents, nor allow the penitents to speak to them, concerning their former sins.

LVII. The sisters shall not use with those under their care any book but such as the warden may approve.

LVIII. The sisters shall not give anything to the children, penitents, &c., for their use, without the knowledge and leave of the superior.

LIX. Especial care shall be taken as far as possible that the children or penitents shall never be left without a sister being with them; and at recreation, if possible, two sisters shall be present with them.

LX. The above rules shall not be altered, or added to, except by the warden and superior, having the consent of a majority of three-fourths of the confirmed sisters in two successive chapters, and no such addition or alteration shall take effect without the approval of the visitor.

OF BRANCH HOUSES.

Rules.

I. The sisters superior of branch houses shall be appointed by the warden and superior, and shall continue in office from year to year at their discretion.

At their appointment, they shall promise themselves to observe, and cause to be observed, the rules and regulations of the community, and to maintain discipline and order in accordance with the mother house, which promise shall be renewed annually.

II. They shall, under the superintendence of the warden and superior, govern the house and work committed to their care.

They shall receive all communications concerning the sisters and their work, and shall have the control and management of the servants and other inmates.

III. The sisters working with a sister superior shall receive their work from her, and submit to her as to the superior.

IV. The sisters superior shall receive from the mother house the results of the proceedings in chapter, as well as any minor details of regulation that may from time to time be deemed necessary; and shall communicate them to the sisters, and cause all such regulations to be duly observed.

V. They shall not give dispensations of the rule without reference to the superior, and when obliged to do so on their own authority shall account for it afterwards.

VI. A sister in charge of a house shall in like manner be responsible to the superior for the observance therein of the rules and regulations, as well as for the work under her care. She shall receive all communications concerning the sisters and their work, and shall have the control and management of the servants and other inmates.

But when such a house is placed in connection with a branch house under a sister superior, immediate reference on all subjects shall be made to her.

VII. During the absence of a sister superior, or a sister in charge, the superior shall appoint a sister to take charge of the house and work.

VIII. Any special regulations rendered necessary by local circumstances may be carried out by the sisters superior, or sisters in charge, if approved by the warden and superior.

IX. The sisters superior and sisters in charge shall pass at least one week of each year in the mother house.

X. The chaplain of a branch house shall be nominated by the warden with the concurrence of the superior.

XI. The relations of the sisters superior and the sisters in charge with the chaplain shall be arranged between them and the warden; but all matters touching the community and its rule shall be referred to the warden and superior.

XII. A sister superior or a sister in charge proposing any person as an associate of the community, shall be responsible for the fitness of such a person.

They shall keep a list of the associates, and at the close of each year shall receive from the mother house the names of those admitted during the year.

OF THE LAY SISTERS.

The lay sisters of S. John Baptist are of the first order.
They do not by rule say the office for the hours, and have no vote in chapter.

Rules.

I. Sisters are admitted on probation by the warden and superior, after passing the time appointed for them, as postulants.
The ordinary period of probation is four years.
After such probation, a sister if desirous of joining the community must obtain the approval of the warden and superior, and the consent of a majority of the confirmed sisters.
She shall then make a promise of obedience to the rules and regulations of the community in the chapel of the house, in a form approved by the visitor.

II. The sisters shall preserve their own baptismal names.

III. Each sister shall receive from the superior a time-table, in which the order and arrangement of her daily work, reading, &c., shall be definitely fixed.
This time-table shall be subject to alteration at the discretion of the superior.

IV. The sisters shall attend the church services, as they are arranged for each in her time-table to suit her work.
They may not absent themselves from any which are thus appointed for them without the permission of the superior.

V. The superior shall allot to the sisters half-an-hour daily, for private devotion or religious reading.

VI. The sisters when absent from the sisterhood may go to any clergyman of the Church of England approved of by the warden for counsel and advice.

VII. The religious books and habits of devotion used by the sisters shall be only such as are allowed by the warden.

VIII. The sisters shall rise, and retire to bed, at the hours appointed for each.

IX. In case of sickness, or for other sufficient cause, the hour for rising may be relaxed by the superior.

X. If any sister desire to practice greater abstinence, or to shorten the regular period of rest for the purpose of devotion, she must first obtain the consent of the warden and superior, and if the latter think it necessary, of the medical attendant also.

XI. The fast days appointed by the Church of England, shall be observed as far as may be consistent with health.

XII. No food shall at any time be provided out of the ordinary meal times, except with the express permission of the superior.

XIII. The sisters shall observe the times of silence as appointed.

XIV. The dress of the sisters shall be plain and uniform, made according to regulation.

XV. Fires shall be allowed in the sleeping rooms only by the express permission of the superior.

XVI. The sisters shall not pass the gates but at such times, and in such companionship, as the superior shall approve.

XVII. The absence of any sister from the sisterhood, the duration and purpose of such absence, must be previously approved by the superior. Such absence shall not exceed one month in any one year, except in cases of urgency to be allowed by the warden and superior.

XVIII. A sister, when absent from the sisterhood, must be careful to conduct herself as becomes one devoted to such a life of religion and charity.

XIX. A sister when absent from the sisterhood, must not attend other places of worship than those of the Church of England in this country.

XX. Conversation on controversial subjects shall be abstained from by the sisters both among themselves and with others.

XXI. The services, sermons, and manners of the clergy shall not be made the subject of discussion.

XXII. The sisters may be visited by their parents and other relations, with the leave of the superior. Such visits may only be received in the special room appointed for them.

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XXIII. The sisters shall observe silence in their bed-rooms, and shall never talk in them to strangers or to each other.

XXIV. The correspondence of the sisters with their relations or friends shall be free and unrestricted.

All papers and letters shall be sent and received through the ordinary letter-box of the house.

XXV. The sisters shall not speak to the penitents, nor allow the penitents to speak to them, of their past sins or former lives.

XXVI. The sisters shall not use with those under their care any book but such as has been approved by the warden.

XXVII. The sisters shall not give anything to those under their care, without the leave of the superior.

XXVIII. The intercourse of the sisters by letter or otherwise, with the warden, sub-warden, or other clergy, shall be only with the permission of the sister under whose care they are placed.

XXIX. The sisters shall show all due deference in word and manner to the choir sisters, and sisters of the second order.

They shall be careful to speak respectfully of them among themselves and with strangers.

OF THE SISTERS OF THE SECOND ORDER.

The second order of S. John Baptist is founded for persons desiring to live as sisters, in obedience to the rule of the community, for a limited period.

Rules.

I. Persons desiring to become sisters of the second order, are admitted on probation by the warden and superior.

The ordinary period of probation shall be six months passed in the mother house; after which the probationer must obtain the approval of the warden and superior, and the consent of the confirmed sisters, when she shall be admitted a sister for a period of three years, according to the office appointed for that purpose.

II. At the expiration of the three years, she may be re-elected for another three years; and if so re-elected three separate times, the engagement may be renewed for similar periods without any further election.

III. The sisters of the second order live in obedience to the rule of the community, but they retain the control of their own money.

IV. They shall spend in work in connection with the sisterhood a certain portion of the year according to engagement made with the warden and superior.

V. Their rule and habit of life when absent from the sisterhood, shall be such as becomes persons thus devoted, and such as is approved by the warden and superior.

VI. They shall wear a fixed dress in the sisterhood, but in their own homes they may dress according to their ordinary use, only with as much simplicity as possible.

VII. They shall be called by the title of "Sister," but their surname shall be added to their Christian name.

VIII. If eventually a sister of the second order should be received into the first order, she may be admitted as a confirmed sister after one year's probation, provided she has been three years in the second order.

Of the Associates.

Associates are such persons, men or women, as are desirous of aiding the sisters, by undertaking to offer up certain prayers in behalf of their works, and to give some definite aid in furthering them.

They are remembered in the prayers of the community, and are admitted, when they desire it, and there be room sufficient, to the services in the chapel.

Such persons shall be called associates of the community of S. John Baptist.

They

They are divided into,

1. Associates living in the world, either married or single.

2. Associates specially devoted to works of mercy, living in the world, but not bound by family ties, and having permission to wear a distinctive habit.

These avoid balls, theatres, and other places of public amusement, and live a life becoming their religious habit.

RULES.

I. Persons wishing to become associates must be nominated by some member of the community to the warden (if men), to the warden and superior (if women), one clear month before their appointment; a copy of these rules being sent to them, meanwhile, for their perusal and careful consideration.

II. Their appointment shall be notified to them by the warden (if men), by the superior (if women), whereupon, as soon as may be, they shall be admitted associates according to the office prescribed for that purpose.

III. Their duties are—

1. To be careful to lead a life becoming their vocation—as in the world, but not of it—observing moderation in dress, habits, amusements, and general demeanour; humbly endeavouring to follow S. John Baptist in the path of Christian self-denial, and, "after his example, constantly speaking the truth, boldly rebuking vice, patiently suffering for the truth's sake," and ever pointing both themselves and others to "the Lamb of God which taketh away the sins of the world."

2. To help the sisterhood in any way that may be in their power.

3. To undertake some one definite work at least, in furtherance of the objects of the community.

The following modes of work are suggested:—

(*a.*) Collecting alms.

(*b.*) Giving personal aid in night, day, and Sunday schools; in missions, hospitals, gaols, workhouses, &c.

(*c.*) Visiting in their own dwellings the poor, the sick, the afflicted, the ignorant, the erring; not only to relieve and instruct, but also to cheer and console them with loving sympathy.

(*d.*) Seeking out the unbaptized, and (when needed) standing for them as sponsors; bringing the young to confirmation; and influencing the poor and untaught to frequent and value the Church's services, more especially the blessed Sacrament of the Body and Blood of Christ.

Duties special for Men.

(*a.*) Acting as officers or members of councils or committees in relation to the works of the sisterhood or any works of mercy.

(*b.*) Assisting in church choirs.

(*c.*) Helping at the desire of the clergy to promote order and decency in their churches, and reverence in their congregations.

(*d.*) Assisting the clergy at Divine service in such lesser offices as are open to the laity to discharge.

(*e.*) If they be priests, to celebrate the blessed Sacrament once a month for the community and its works; to endeavour to obtain offertories for the support of those works; and to be ready, if possible, to undertake service in any chapel or oratory connected with the community, when requested to do so.

Duties special for Women.

(*a.*) Rendering personal service in the works of the sisterhood, as opportunity offers, and home duties permit.

(*b.*) Providing needlework, receiving orders for it, or promoting its sale.

(*c.*) Procuring places of service for the penitents and children, and, if possible, watching over them in service.

(*d.*) To say daily a prayer for the community, they being themselves likewise specially remembered by the sisters each day at nones.

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(*e.*) To receive the blessed Sacrament (if possible) on the first Sunday in every month, with the intention of the prosperity of the community and its works; including in their preparatory examination of conscience a particular reference to their fulfilment of the "duties of associates" here specified.

(*f.*) To observe, as the commemoration day of the whole community, the festival of S. John Baptist, if possible, by receiving the blessed Sacrament with the intention of the community; or at least by uniting with its members in spirit on that holy day, and joining them in special acts of prayer and intercession.

IV. Associates are not allowed to attend other services besides those of the Church of England in this country.

V. Associates (women) are not allowed to attach themselves by a similar tie to any other sisterhood; but if they desire to become sisters, they are free to join any sisterhood in the English Church.

VI. Associates (women) may also, with the consent of their own superior, assist personally in the work of any other sisterhood, only taking care that the aid which they have engaged to give to their own sisterhood be not on that account superseded.

VII. Associates (women), if admitted to work in any other sisterhood, must faithfully observe its rule, cultivating a loving and generous spirit, and abstaining from all remarks calculated to cause comparisons between one sisterhood and another, or between their respective members.

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TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

CONVENTUAL AND MONASTIC INSTITUTIONS, &c.

Ordered, by The House of Commons, *to be Printed*,
25 *July* 1870.

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Dewar, James. (Analysis of his Evidence.)—Was lately assessor of lands and heritages in the burgh of Perth, 1680——Supplies sundry particulars relative to St. Mary's Redemptory, Kinnoull Hill, the character and extent of the property, its valuation, &c., 1681–1684. 1712–1730. 1766–1783. 1805–1819. 1829–1850——Statement as to the property being held in trust for the members of the order of the Holy Redeemer in Scotland, the Rev. Mr. Vaughan appearing to represent both owner and occupier, and being the person rated, 1685–1699. 1775–1783. 1794–1810. 1826–1828.

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Little Sisters of the Poor. Reference to the Little Sisters of the Poor as a comparatively new order, authorised by the laws of France, *Harting* 1091-1095.——*See* also *Glasgow.*

Loretto Nuns (*Leith*). Description of property of the Loretto nuns in Leith, the proprietors and occupiers set down in the valuation roll being the trustees of the Roman Catholic Church, *Dewar* 1965-1984.

Lyne, Francis. (Analysis of his Evidence.)—Information relative to the failure of the attempt made by witness's son (the Rev. "Ignatius" Lyne) to found a monastery at Norwich, 4349-4359. 4405-4407——Religious career and peculiar tenets of witness's son, who styles himself a monk, and is most anxious to establish monasteries, though still in all essential circumstances a member of the Church of England, 4360 *et seq.*——Friendly way in which some of the bishops have acted towards witness's son; considerable support received from his congregations, 4365-4401. 4409-4412.

M.

M'Dermott, John. (Analysis of his Evidence.)—Was formerly one of the Brotherhood of the Little Oratory at Brompton, and supplies sundry particulars relative to this association, as well as with reference to the Oratory itself, 2877 *et seq.*——States that the Fathers of the Oratory were bound by vows, but is not aware that these were monastic vows, 2868-2890. 2911-2916. 2941-2948. 2963-2972——Considers the Oratory to be a monastic institution, 2892-2897——There are two convents in connection with the Oratory, and, as witness was told, under its control, 2898-2900. 2949-2958.

Maintenance of Monasteries. Large portion of the maintenance of monasteries derived from the parochial or mission work in which the monks are engaged; also from schools, *Bagshawe* 366-370.

Marist Brothers. See *Glasgow.*

Masses and Prayers for the Dead. See *Superstitious Uses.*

Mission Property. General practice of enrolment in the case of mission property of Roman Catholics, *Arnold* 488. 494. 510*. 678-681.

Monasteries:

Illegality, under the Roman Catholic Relief Act, of monastic orders in this country in communion with Rome, *Erle* 61, 62. 206-208——Statement as to the complete illegality, under the Emancipation Act, of all monasteries containing monks bound by vows, any trusts for the benefit of monks being equally illegal, *Bagshawe* 306-314——Conclusion that no trusts for the benefits of monasteries can with safety be disclosed, *ib.* 314. 327, 328.

Provision in the Act 31 Geo. 3, c. 32, whereby any religious order or monastic institution is excepted from the general relief afforded by the Act, *Bagshawe* 315-319. 382-384; *Arnold* 414. 512-517——Illegality of monastic institutions further adverted to with reference to the tenure of property without trusts, *Arnold* 601-606——Several kinds of monastic institutions in this country where the monks are bound by vows, all such

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such being illegal, and being the subject of restraint under the laws of the land, *Arnold* 715-750. 778-780.

Interference with the free action of the Roman Catholic Church in this country by the illegality of monastic institutions, *Bagshawe* 683.

Explanation that there are not so many as thirty monasteries, commonly so termed, in this country, the numbers of such places being very few, *Cuddon* 1628-1632.

Belief as to trusts for monasteries, where vows are imposed, being illegal, though the same illegality may not apply to convents, *Hobhouse* 3938. 3982, 3983.

Witness, who has been engaged in the erection of a monastery for the Rev. Mr. Lyne, near Abergavenny, supplies sundry particulars relative to the building, and the progress made with it, *Foster* 4275-4280. 4288-4305. 4319-4333——Mr. Lyne and two other monks were present when the foundation was laid, there having been a ceremony with the use of incense, &c., and Mr. Lyne having delivered an address on the occasion, *ib.* 4281-4287. 4306-4318. 4334-4338.

Information relative to the failure of the attempt made by witnesses son (the Rev. "Ignatius" Lyne) to found a monastery at Norwich, *Lyne* 4349-4359. 4405-4407——Religious career and peculiar tenets of witness's son, who styles himself a monk, and is most anxious to establish monasteries, though still in all essential circumstances a member of the Church of England, *ib.* 4360 *et seq.*——Friendly way in which some of the bishops have acted towards witness's son: considerable support received from his congregations, *ib.* 4365-4401.

See also *Charities and Charity Commission. Enrolment. Inspection (Convents and Monasteries). Joint Tenants. Land. Maintenance of Monasteries. Oratorians. Property. Scotland. Vows.*

Mortmain Act. Statement as to the Mortmain Act (9 Geo. 2, c. 36) not having been directed against convents and monasteries, *Arnold* 415——Opinion that there is no evasion of the law of mortmain by the system of vesting monastic or conventual property in joint tenants, without trust, *ib.* 522-526. 575.

Agreement that Roman Catholics and Dissenters should have the same facility of devising property to colleges and institutions as in the case of Oxford and Cambridge; that is, by extending the exemptions under the Mortmain Act, *Cuddon* 1306-1310. 1324-1347——Approval of a proper law of mortmain, *ib.* 1488.

Return showing the enrolments made in the Court of Chancery under the Act 9 Geo. 2, the Mortmain Act, in the years 1867, 1868, 1869, and 1870, *App.* 201-205.

See also *Joint-Tenants.*

O.

ORATORIANS (BROMPTON ORATORY):

1. *Argument that the Oratorians, as at Brompton, are not a Religious Order, and are not bound by Vows.*
2. *Evidence to a contrary Purport.*
3. *Conclusion of the Committee that the Oratorians are Members of a Religious Institution of a Monastic Character.*
4. *Statement and counter-Statement as to the Case of the Rev. William Hutchison, a former Member of the Oratory at Brompton.*
5. *Case of Mr. Harrison, a former Member of the Oratory.*
6. *Explanation as to the Property of the Oratory, and as to the Disposal of their Property by individual Members.*
7. *Valuation, Ownership, &c., of the Oratory.*
8. *Convents in Connection with the Oratory.*
9. *Cause of the former Suppression of Oratories in England.*

1. *Argument that the Oratorians, as at Brompton, are not a Religious Order, and are not bound by Vows:*

Broad distinction between Oratorians and Jesuits, the former not taking vows, *Bagshawe* 310——Statement as to the Oratorians not being an order, *ib.* 721-726. 731.

Statement in detail to the effect that the Oratory at Brompton is an association of secular priests living together, but bound by no vows, oaths, or promise of any kind, and that it has not a monastic character, *Gordon* 2596 *et seq.*——Absence of connection between the Oratory at Brompton and any other oratory, *ib.* 2598, 2599. 2629, 2630. 2804*. 2807——Entire exemption of the Oratory from the penal clauses which apply to monasteries, *ib.* 2614-2616.

Details relative to the code of rules applicable to the community of the Oratory; difference between these rules and those of other oratories, as at Birmingham, *Gordon* 2617-2630

ORATORIANS (*BROMPTON ORATORY*)—continued.

1. *Argument that the Oratorians, as at Brompton, are not a Religious, &c.*—continued.

2617–2630——Origin of the Oratory adverted to, *Gordon* 2627–2629——Explanation as to the ecclesiastical authorities to which the Oratory is subject, and as to the jurisdiction exercised by the bishop or archbishop, and also by the Pope, *ib.* 2630–2642. 2666 *et seq.*

Further details relative to the constitution of the Oratory, and the functions of its members, all being secular priests, and not bound by vows, *Gordon* 2643–2659. 2962. *et seq.*——Missionary and educational work performed by the Oratory, *ib.* 2662–2970. 2823–2825——Examination relative to Papal bulls and briefs, and other documents, as regards the constitution of particular oratories, and as showing to what extent the Oratory of Brompton is affected thereby, *ib.* 2671 *et seq.*

Obedience paid by witness to Archbishop Manning as well as to the Holy See; important distinction between the Oratory and a religious order adverted to hereon, *Gordon* 2696–2746——Explanation as to the qualifications required in noviciates before finally admitted, *ib.* 2747–2761——Absence of distinction between the work of the Oratory and the work of ordinary priests, *ib.* 2787–2791.

Broad line of distinction between the Oratory and a monastery on the score of vows, *Gordon* 2792–2801——Rule of the Oratory not to receive anyone who had been a monk, *ib.* 2808–2810——Communication of any change of rule to the archbishop, *ib.* 2811, 2812——Varying number of Oratorians at Brompton, there being now fifteen; necessity of their being resident, *ib.* 2819–2822.

Examination to the effect that it is entirely owing to inadvertence that in more than one instance the Oratorians are returned in the Catholic Directory as belonging to religious orders or houses of men; grounds for the conclusion that the Oratorians are not a "regular" order, they not being bound by vows, *Johnson* 3234. 3239. 3255–3271. 3276–3284. 3297–3320. 3380, 3381.

2. *Evidence to a contrary Purport:*

Witness submits in detail grounds for the conclusion that the Oratorians are a monastic institution, having property in common, *Smee* 2282 *et seq.*——Documents cited in support of the conclusion that the Oratory at Brompton is a community having common property; will of witness's relative adverted to hereon, *ib.* 2298–2314. 2336–2344.

Witness repeats that the Oratory is a monastic institution, and that the members are, virtually, bound by vows; further examination as to his grounds for this conclusion, *Smee* 2348–2370. 2403–2416. 2457–2461. 2491–2501.

Witness was formerly one of the brotherhood of the Little Oratory at Brompton, and supplies sundry particulars relative to the Oratory itself, *M'Dermott* 2877 *et seq.*——Witness states that the fathers of the Oratory were bound by vows, but is not aware that these were monastic vows, *ib.* 2888–2890. 2911–2916. 2941–2948. 2963–2972——He considers the Oratory to be a monastic institution, *ib.* 2892–2897.

Several reasons for concluding that the Oratorians are a monastic institution, *Harrison* 2871.

3. *Conclusion of the Committee that the Oratorians are Members of a Religious Institution of a Monastic Character:*

Opinion of the Committee (8th July), that the evidence already given is sufficient to show that the Oratorians are members of a religious institution of a conventual or monastic character, and that no further evidence on that point be heard, *Rep.* vii.

4. *Statement and counter-Statement as to the Case of the Reverend William Hutchison, a former Member of the Oratory at Brompton:*

Witness was a petitioner to the House of Commons in 1864 in the case of a relative, the Rev. William Hutchison, who died in Brompton Oratory, *Smee* 2279–2281.

Judgment of Sir James Wilde in the case of Smee *v.* Knox adverted to as being adverse to the pleas put in by witness, and as upholding the will of his relative, Mr. Hutchison, in which the latter left his property to the Superior of the Oratory; exceptions taken to this judgment, *Smee* 2284 *et seq.*——Statement on the question of Mr. Hutchison having been of unsound mind when his will was made; witness contends that his mind was weakened, and was in a very impressionable and feeble estate, *ib.* 2285, 2286. 2290. 2371–2383. 2422–2456——Desire of witness to have brought the case before the Court of Chancery, but that he has been deterred by the expense, *ib.* 2293–2297. 2483. 2490.

Circumstance of Mr. Hutchison having said he was unable to give a small piece of family plate to his sister, because it had become the property of the community, *Smee* 2309. 2491. 2493–2499——Complaint as to the name of witness's relative, as on his tombstone, having been put as "William Anthony," instead of "William"; circumstances under which the name of "Anthony" was added, 2315–2335. 2387–2392. 2472–2482——Circumstance of Mr. Hutchison having at one period worn a monkish garment, *ib.* 2348, 2349. 2393–2401. 2499. 2502.

Oratorians (Brompton Oratory)—continued.

4. *Statement and counter-Statement as to the Case of the Rev. W. Hutchison, &c.*—cont^d.

Evasion of the law by the mode in which Mr. Hutchison disposed of his property by will; belief that a certain legacy left was but a blind, *Smee* 2350–2357. 2364. 2462–2471——The decision of Sir James Wilde was that witness had no reasonable ground for contesting the will, and must pay the costs, *ib.* 2385, 2386.

Further information relative to the peculiar dress worn by Mr. Hutchison, *Smee* 3390–3398——Reference to a certain written document, now produced, as necessary to complete witness's evidence on the subject of the case of Smee *v.* Knox, *ib.* 3399–3402.

Entire inaccuracy of Mr. Smee's statement that Father Hutchison had no control over his own property, *Gordon* 2606–2608——Explanatory statement of the circumstances under which Father Hutchison disposed of most of his property during his lifetime, leaving the remainder to the Superior of the Oratory, *ib.* 2606. 2612, 2613. 2784, 2785.

Inaccuracy of a statement by Mr. Smee as to Father Hutchison having said he had no power to give a small piece of late to his sister, *Gordon* 2606. 2608—— Explanation as to Father Hutchison having at one time worn his cassock about the streets, *ib.* 2609—— Free access of Father Hutchison's friends to him had he so desired, *ib.* 2610, 2611—— Explanation of the circumstances under which Father Hutchison took the name of Anthony, *ib.* 2813–2818.

5. *Case of Mr. Harrison, a former Member of the Oratory:*

Statement to the effect that witness's son was unduly influenced, at the age of eighteen, to join the Oratory at Brompton, and that whilst there he was completely under the control of the Superior, Father Faber, *Harrison* 2831–2876——Death of witness's son at the Oratory when 25 years of age; refusal of permission to his sisters to see him in his last illness, *ib.* 2844. 2871.

6. *Explanation as to the Property of the Oratory, and as to the Disposal of their Property by individual Members:*

Dissent from the view of Sir James Wilde that the rules of the Oratory did not in any way affect the disposition of the property of the members; grounds for concluding on the other hand that the members are bound, as under a vow, to give up all their property to the institution, *Smee* 2287 *et seq.*

Possession by the Oratory of some property in common, which is vested in joint tenants, *Gordon* 2596. 2600, 2601. 2654–2656. 2762, 2763. 2802——Full power of each member of the Oratory to dispose of his property as he pleases, witness as Superior, having no control in this respect, *ib.* 2602–2605. 2612, 2613. 2624, 2625. 2762. 2777–2786—— Instances of the property of individual fathers having been devised away from the community, *ib.* 2626.

Necessity of a certain annual payment by each Oratorian, there being no entrance payment, *Gordon* 2651–2653——Entirely voluntary act of particular fathers in leaving their property to the community; explanations hereon in reference to the wills of Fathers Wells and Faber, *ib.* 2657–2661. 2762–2786——Practice of collecting subscriptions for the parish schools, as well as for the church or chapel, *ib.* 2825–2830.

7. *Valuation, Ownership, &c. of the Oratory:*

Information, as obtained from the valuation list, relative to the occupation, ownership, and value of the Oratory at Brompton, *Ross* 2983–2986——The gross estimated rental of the property at Brompton is 800 *l.*, and the rateable value 667 *l.*, *ib.* 2986.

8. *Convents in Connection with the Oratory:*

There are two convents in connection with the Oratory, and, as witness was told, under its control, *M^cDermott* 2898–2900. 2949–2958.

9. *Cause of the former Suppression of Oratories in England:*

Doubt as to the former suppression of oratories in this country having been effected on the principle of preventing bequests for prayers for the dead, as tending to violate the law of mortmain, *Hobhouse* 4061–4066.

Oscott College. Reference to Oscott as not being one of the colleges within the scope of the present inquiry, *Cuddon* 1453–1460.

P.

Papal Brief of 1850. With regard to the Papal Brief of 1850, it had no legal effect whatever in this country, *Cuddon* 1392–1398. 1557–1559. 1591–1593.

Parochial Residences. Total of 121 parochial residences for members of religious orders, there being a cure of souls in each case, *Cuddon* 1286–1290.

Passionists. See *Glasgow.*

Report, 1870—*continued.*

Penalties and Disabilities. Harsh and injurious operation of the present penal enactments in regard to the tenure of property of convents and monasteries, *Bagshawe* 342–365——Impression that a removal of the penal and prohibitory clauses of the Emancipation Act is the chief remedy required, *Arnold* 473–483. 514–521. 544. 595–600——Argument in support of the conclusion as to the penal character of the present law, and the justice of the complaints against it; legal position of convents in France adverted to hereon, *ib.* 575–600——Unfairness and injustice in applying penalties to Roman Catholics in the matter of religion and conscience, such as the taking of vows, *ib.* 650–663.

Explanation that witness has no desire that the institutions should be in any way privileged, or that vows should be recognised, by law, and that he merely contends for the removal by the Legislature of existing illegality and penalties, *Bagshawe* 683 *et seq.*; 770, 771. 806–810——Liability of monks to be proceeded against, on the ground that the taking of vows is illegal, *ib.* 715–750. 778–780.

Effect of the Emancipation Act adverted to, witness contending that new penalties were enforced by the Act without repeal of the penalties under the old statutes, *Harting* 1010–1022. 1038–1042——Continued existence of communities of a monastic character, notwithstanding the penalties to which subject, *ib.* 1043–1045.

Conclusion that certain sections of the Catholic Emancipation Act are a great grievance to members of religious orders, and are in fact most offensive and insulting, *Cuddon* 1296, 1297. 1305. 1413–1415——Grievance through the inability to create trusts for any purpose whatever, though practically there is no misapplication under the system of joint tenants, *ib.* 1297–1304. 1314–1316. 1320–1323. 1595–1598.

Complaint as to the penalties and restrictions under the law as to superstitious uses, *Cuddon* 1305, 1306. 1407–1419; *Lord Clifford* 2507–2511. 2527 *et seq.*——Circumstance of there having been no attempt to enforce the penalties complained of by witness, *Cuddon* 1314.

Denial that in claiming relief from the statutory restrictions now in force, witness is really demanding an exceptional position for the Roman Catholic community in this country; that is, so far as the laws of England are concerned, *Lord Clifford* 2555–2557.

Opinion that the law requires a most careful revision, and that steps should be taken in the direction of removing the disabilities of which Roman Catholics complain, *Hobhouse* 3953. 3995–4014.

See also *Convents. Joint Tenants. Monasteries. Superstitious Uses. Trusts.*

Penitent Women. Provision through convents for the reclamation and care of a considerable number of penitent women, *Harting* 902–905.

Perth. Sundry particulars relative St. Mary's Redemptory, Kinnoull Hill, the character and extent of the property, its valuation, &c., *Dewar* 1681–1684. 1712–1730. 1766–1783. 1805–1812. 1829–1850——The annual value of the house is placed at 300 *l.*, and of the grounds at 50 *l.*, this being independent of a recent accession of property, *ib.* 1682. 1712–1717. 1830–1835——Statement as to the property being held in trust for the members of the Order of the Holy Redeemer in Scotland, the Rev. Mr. Vaughan appearing to represent both owner and occupier, and being the person rated, *ib.* 1685–1699. 1775–1783. 1794–1810. 1826–1828——Information as to the use made of the house and grounds on Kinnoull Hill, and as to the community of Roman Catholic priests by whom occupied, *ib.* 1700–1711. 1718–1729. 1811–1816. 1824, 1825.

Particulars in connection with St. Joseph's Convent, in Stormont-street, Perth, its cost, valuation, and the tenure or trust upon which held, *Dewar* 1731–1747. 1784–1789.

Religious celebration on the occasion of the opening of the chapel of the Redemptorist Fathers; reference to the sermon preached on this occasion by the Rev. Dr. Smith of Oakley, *Dewar* 1748–1765——Absence of local complaint either against the redemptory or convent; modes of employment of the priests and nuns adverted to hereon, *ib.* 1772. 1790–1793. 1813–1823.

Witness produces a certified copy of the sermon preached on the opening of the Redemptorists' chapel at Perth; extracts therefrom read, *Dewar* 1954–1959. 1989, 1990——Mode of employment of the Redemptorist Fathers and of the convent inmates at Perth further adverted to; mission worked by the former, *ib.* 1989–1993. 2002–2009.

Reference to the will of the late Captain Peter Mitchell as devising certain property, upon trust, to the Roman Catholic bishops in Scotland; conclusion that the monastery in Kinnoull Hill has been founded with this property, *Armand* 3403–3434.

Prayers for the Dead. See *Superstitious Uses.*

Princethorpe Convent. As member of the Rugby Union assessment committee, witness supplies particulars relative to the convent of Princethorpe, and the value of the property attached thereto, *Johnson* 2996–3015——Belief that, with recent improvements, the property is now worth at least 900 *l.* a year, and that the gross value is more than 25,000 *l.*; *ib.* 3015–3022.

Property, Amount of (*Convents and Religious Orders*). Unwillingness of witness to give detailed information as to the property of each convent, *Harting* 882. 887, 888. 1111, 1112——Calculation that each member of a convent in England possesses, on an average, only two roods and thirty-four perches of land, *ib.* 889–898. 1065–1067——Calculation that the total income of nuns from personal property averages only 6*l.* 13*s.* 4*d.* per head per annum, the aggregate income, including education, fees, &c., being very moderate indeed, *ib.* 899, 900. 1002–1006. 1113–1116.

Examination as to the amount of property and of income of the thirty religious houses and 121 parochial residences to which witness's evidence refers, *Cuddon* 1283–1292. 1606–1627——Inaccuracy of the view that religious orders are enriched at the expense of families; exceptional instances of members bringing much property or money to the institutions, *ib.* 1260. 1616. 1656–1658.

See also *Colleges. Convents. Land.*

Property, Inheritance and Disposal of (*Nuns and Monks*). Practice of the members of monasteries and convents to provide by will for the disposal of their private property, and to denude themselves of it before profession, *Arnold* 466–468. 564–570. 636–642. 664–667——Custom in ordinary cases for the community to share in any property of individual members which comes to them in the interval between final vows and death, *ib.* 469–471. 565–572. 583–590——Further evidence as to the tenure on which the individual members of monasteries and convents hold their property, and as to the mode in which they divest themselves of it, *ib.* 564–572. 583–590. 607–609. 613–615. 625–642——Full legal right of inmates of convents or monasteries to any property coming to them after taking final vows, *ib.* 675–677.

Mode of disposal of the property of nuns adverted to; expediency of their being legally empowered to bequeath their property to the communities in which they live, *Bagshawe* 755–767.

Circumstance of witness not being aware, save in one instance, of any gifts or endowments to conventual institutions, *Harting* 869, 870. 1000, 1001. 1145–1153. 1177——Varying dowries, from 1,000*l.* downwards, brought by ladies entering convents, large numbers being admitted without any dowry, *ib.* 908–912. 922, 923——Practice as to the making of wills before profession, the convents rarely if ever receiving anything under such wills, *ib.* 913–920. 924, 925. 932–936——The dowry is sometimes not more than 100*l.*, and sometimes not so much, *ib.* 923.

Practice before becoming professed in a religious order as to the entire disposal of the property of which each person is possessed, a vow of poverty being always taken, *Cuddon* 1261–1267. 1420–1425. 1599–1603——Invariable rule as to property inherited after profession being alienated to the next heir, *ib.* 1267–1271. 1426–1436.

Practice as to the disposal of legacies left by will to a member of a religious order after profession; probability of money thus received being usually applied to the benefit of the community of which the legatee is a member, *Cuddon* 1272, 1273. 1433–1446.

See also *Charities, &c. Joint Tenants. Trusts.*

Publicity. Witness is in favour of publicity in reference to convents, though he objects to State inspection, *Harting* 1143, 1144.

R.

Rates. Impression as to the rates on convents being charged upon the superior for the time being, *Harting* 1154-1157.

Re-appointment of Committee. Recommendation that the Committee be re-appointed in the next Session of Parliament, *Rep.* iii.

Redemptorist Fathers. See *Perth.*

Reformation. Grounds for the conclusion that before the Reformation monasteries and convents were perfectly legal corporations, *Arnold* 411, 412.

Reformatories. There are about 500 boys in reformatories under the spiritual care of members of religious orders, *Cuddon* 1291.

Religious Orders. Great change in the character of the religious orders in this country since the penal statutes were passed, contemplative orders having largely decreased, and foreign education having disappeared, *Harting* 833-844. 1075.

Representation by witness for the purpose of the present inquiry, of all the religious orders throughout the country, *Cuddon* 1249–1255. 1606, 1607.

Sundry particulars relative to the religious orders in this country, the number of colleges, and of houses and parochial residences, the quantity of land held, &c., *Cuddon* 1283–1292. 1606–1617——Total of thirty houses for religious communities,

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Report, 1870—*continued.*

Religious Orders—continued.

and of 121 parochial residences; statement hereon as to the number of religious communities being set down at sixty-nine in the Catholic Directory, *Cuddon* 1284–1290. 1463–1480.

Statement on the question of the internal regulations by which the members of the different religious orders in this country are bound; belief that many of the orders are not represented at Rome, and that the branches in different countries are independent of each other, *Cuddon* 1378–1391.

Total of 476 priests of religious orders in Great Britain, *Cuddon* 1670——Total of about 300 young men preparing for orders in the several religious bodies, *ib.* 1670–1673.

With regard to various religious houses returned in the Catholic Directory, witness cannot say how many of these are or are not "regulars," *Johnson* 3332–3347.

See also *Colleges. France. Jesuits. Oratorians. Property, Amount of.*

Robertson, John Macmillan. (Analysis of his Evidence.)—Solicitor in Glasgow, 1851——Extract from the burgh registers of Lanark, showing the terms of trust upon which the Smyllum Park property, occupied by Sisters of Mercy, is conveyed, 1852–1855——Total of about 113 acres comprised in the Smyllum Park estate, the purchase-money having been 8,000 *l.*; 1856, 1857. 1863——Similar terms of trust in the case of property occupied by the Vincentian Fathers as of the Smyllum Park property; several deeds and titles in the former case, 1858–1862.

Expenditure of about 18,000 *l.* on the chapel schools, &c., at Smyllum Park, 1863, 1864——Full description of the Smyllum Institution in the Catholic Directory; practice as to masses and prayers for the dead, 1865, 1871——Fifth annual report of the Orphanage at Smyllum adverted to, as showing the form of bequest to the institution, 1872-1878——Particulars of the property at Smyllum, and the valuation, as entered in the valuation roll for Lanark, 1879-1882.

Information, as obtained from the valuation roll for Glasgow and from the Roman Catholic Directory, relative to a school in Glasgow under the direction of the Jesuit Fathers, 1883, 1884——Particulars relative to the conveyance and extent of certain property in Glasgow held by a community of Passionists, 1885–1888——Sundry details in connection with property at St. Mungo's, Glasgow, consisting of a house and school, occupied by the Marist Brothers: description of the trust in this case, 1893–1901.

Extracts from deeds showing the mode of conveyance and form of trust in the case of certain property at Glasgow held for the Sisters of Mercy, 1902–1907——Explanation in regard to the foregoing property being occupied by the Little Sisters of the Poor, 1907–1909. 1936–1940——Extracts from deeds, and explanations thereon, with reference to the trusts, valuation, &c., in the case of two properties in Charlotte-street, Glasgow, on which the Franciscan nuns are located, 1910–1920.

Particulars relative to the extent, valuation, &c., of the Good Shepherd convent and lands at Dalbeth, near Glasgow: names of the proprietors in this case, there being no trusts, 1921–1935——Statement as to the valuation of the assessor not going into the question of title, though entry on the roll is taken as primary evidence of possession, 1932. 1945–1951——Description and value of a Roman Catholic orphanage, school, &c. in Abercrombie-street, Glasgow, 1941–1943——Frequent discrepancy between the entries of occupiers in the valuation roll and in the deed, 1948–1950.

Important distinction between the model deeds of the Free Church and Presbyterian Church in Scotland, on the one hand, and the deeds of the Roman Catholic Church on the other, 1952, 1953——Opinion that the Roman Catholic deeds seem to indicate that the right of property will, in case of a legal question, follow the authorities of the church, instead of resting with the congregation, 1952.

[Second Examination.]—Information relative to the Franciscan Friary in Cumberland-street, Glasgow; circumstance of the Rev. Mr. Kenners being returned both as proprietor and occupier, 2010–2037. 2042——Separate properties comprised in this friary, and amount of the valuation of each, 2015. 2037.

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2. *Deeds and Trusts of the Roman Catholic Church, and of the Free Church and Presbyterian Church, respectively.*
3. *Registration of Deeds.*
4. *Valuation Roll (Roman Catholic Institutions).*

1. *State of the Law in Scotland on the Subject of Convents and Monasteries:*

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3. *Registration of Deeds:*

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REPORT

FROM THE

SELECT COMMITTEE

ON

DIPLOMATIC AND CONSULAR SERVICES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1870.

Monday, 14*th February* 1870.

Ordered, That a Select Committee be appointed to inquire into the Constitution of the Diplomatic and Consular Services, and their Maintenance on the Efficient Footing required by the Political and Commercial Interests of the Country.

Thursday, 24*th February* 1870.

Ordered, That the Committee do consist of Twenty-one Members.

Committee nominated of—

Mr. Bouverie.
Mr. William Henry Gladstone.
Mr. Rylands.
Mr. Richard Shaw.
Sir Henry Lytton Bulwer.
Sir Charles Wentworth Dilke.
Mr. Kinnaird.
Mr. Holms.
Mr. William Cartwright.
Mr. Arthur Russell.
Mr. Sclater-Booth.
Viscount Sandon.
Mr. Eastwick.
Mr. Baring.
Mr. William Lowther.
Mr. Cameron.
Mr. Frederick Stanley.
Mr. Butler-Johnstone.
Viscount Barrington.
Mr. Frederick Walpole.
Mr. Otway.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Seven be the Quorum of the Committee.

Monday, 25*th July* 1870.

Ordered, That the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the Constitution of the DIPLOMATIC and CONSULAR SERVICES, and their Maintenance on the Efficient Footing required by the Political and Commercial Interests of the Country:——HAVE considered the Matters to them referred, and have agreed to the following REPORT:—

YOUR Committee have taken a large body of Evidence upon the Diplomatic branch of the Inquiry referred to them, but they have not been able to enter upon the Consular branch, and they see no prospect of being able to conclude their investigation in the present Session. They have therefore agreed to report to The House the Evidence they have already received, and to recommend that the Committee should be re-appointed in the next Session of Parliament.

25 *July* 1870.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 2nd March 1870.

MEMBERS PRESENT:

Mr. Bouverie.
Mr. Otway.
Mr. Frederick Walpole.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Kinnaird.
Mr. Holms.
Mr. William Cartwright.
Mr. Eastwick.
Mr. Frederick Stanley.
Viscount Barrington.
Viscount Sandon.
Mr. W. H. Gladstone.
Sir Charles Wentworth Dilke.
Mr. Arthur Russell.
Mr. Baring.
Mr. Sclater-Booth.
Mr. Butler-Johnstone.
Mr. Cameron.

Mr. *Bouverie* was called to the Chair.

The Committee deliberated.

[Adjourned till Monday next, at One o'clock.

Monday, 7th March 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Otway.
Mr. Baring.
Viscount Barrington.
Viscount Sandon.
Mr. Kinnaird.
Mr. W. H. Gladstone.
Mr. Frederick Walpole.
Mr. William Lowther.
Mr. Rylands.
Mr. Richard Shaw.
Sir Charles Wentworth Dilke.
Mr. Holms.
Mr. William Cartwright.
Mr. Cameron.
Mr. Arthur Russell.
Mr. Eastwick.
Mr. Frederick Stanley.
Mr. Butler-Johnstone.
Mr. Sclater-Booth.

The Right Honourable *Edmund Hammond*, examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 10th March 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. W. H. Gladstone.
Mr. Butler Johnstone.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Frederick Stanley.
Viscount Barrington.
Mr. Otway.
Mr. William Lowther.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Eastwick.
Mr. Kinnaird.
Mr. William Cartwright.
Mr. Baring.
Sir Charles Wentworth Dilke.
Mr. Holms.
Mr. Cameron.
Mr. Sclater-Booth.
Mr. Frederick Walpole.

The Right Honourable *Edmund Hammond*, further examined.

[Adjourned till Monday next, at One o'clock.

Monday, 14*th March* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Eastwick.
Mr. Frederick Stanley.	Mr. Butler-Johnstone.
Mr. Arthur Russell.	Mr. W. H. Gladstone.
Mr. William Cartwright.	Mr. Cameron.
Mr. Holms.	Mr. Baring.
Mr. Otway.	Sir Charles Wentworth Dilke.
Mr. William Lowther.	Mr. Kinnaird.
Mr. Rylands.	Mr. Frederick Walpole.
Mr. Shaw.	Mr. Sclater-Booth.

The Right Honourable *Edmund Hammond*, further examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 17*th March* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. W. H. Gladstone.
Mr. Arthur Russell.	Mr. Frederick Walpole.
Mr. Holms.	Mr. Butler-Johnstone.
Mr. Otway.	Mr. Kinnaird.
Mr. William Lowther.	Mr. Sclater-Booth.
Mr. Rylands.	Viscount Sandon.
Mr. Richard Shaw.	Mr. William Cartwright.
Mr. Eastwick.	Sir Charles Wentworth Dilke.
Mr. Baring.	

Right Honourable *Edmund Hammond*, further Examined.

[Adjourned till Monday next, at One o'clock.

Monday, 21*st March* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Holms.
Mr. Richard Shaw.	Mr. W. H. Gladstone.
Mr. Rylands.	Mr. Otway.
Mr. Eastwick.	Sir Charles Wentworth Dilke.
Mr. Arthur Russell.	Mr. Butler-Johnstone.
Mr. Sclater-Booth.	Mr. Kinnaird.
Mr. William Cartwright.	Viscount Sandon.
Mr. William Lowther.	Mr. Baring.

The Right Honourable *Edmund Hammond*, further examined.

The Right Honourable the Earl of *Malmesbury*, attending by permission of the House of Lords, examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 24th March 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Otway.
Mr. William Lowther.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Eastwick.
Mr. Charles Wentworth Dilke.
Mr. Frederick Stanley.
Viscount Sandon.
Mr. Butler-Johnstone.
Mr. Arthur Russell.
Mr. W. H. Gladstone.
Mr. Holms.
Viscount Barrington.
Mr. William Cartwright.
Mr. Frederick Walpole.
Mr. Baring.
Mr. Kinnaird.

The Committee deliberated.

The Right Hon. Sir *Henry George Elliot,* examined.

[Adjourned till Monday next, at One o'clock.

Monday, 28th March 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.
Mr. Frederick Stanley.
Mr. Cameron.
Mr. Arthur Russell.
Mr. W. H. Gladstone.
Mr. Otway.
Mr. William Lowther.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Eastwick.
Sir Charles Wentworth Dilke
Mr. William Cartwright.
Mr. Butler-Johnstone.
Viscount Sandon.
Mr. Sclater-Booth.
Mr. Baring.
Mr. Kinnaird.
Mr. Holms.

The Right Hon. the Earl of *Malmesbury,* the Right Hon. Sir *Henry George Elliot,* and the Right Hon. *Edmund Hammond,* were severally further examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 31st March 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Rylands.
Sir Charles Wentworth Dilke.
Mr. Frederick Stanley.
Mr. Cameron.
Mr. Holms.
Mr. William Lowther.
Mr. Baring.
Mr. Richard Shaw.
Viscount Barrington.
Viscount Sandon.
Mr. Arthur Russell.
Mr. Butler-Johnstone.
Mr. W. Cartwright.
Mr. W. H. Gladstone.
Mr. Eastwick.
Mr. Otway.
Mr. Kinnaird.

The Right Hon. *Edmund Hammond,* further examined.

[Adjourned till Monday next, at One o'clock.

Monday, 4th April 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Arthur Russell.
Mr. Holms.	Mr. Butler-Johnstone.
Mr. Otway.	Mr. Cameron.
Mr. William Lowther.	Mr. W. H. Gladstone.
Mr. Richard Shaw.	Mr. Kinnaird.
Sir Charles W. Dilke.	Mr. Eastwick.
Mr. Rylands.	

The Right Honourable *Edmund Hammond*, further examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 7th April 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. W. Cartwright.
Mr. Cameron.	Mr. Frederick Stanley.
Mr. Eastwick.	Mr. W. H. Gladstone.
Mr. Holms.	Mr. Frederick Walpole.
Mr. Arthur Russell.	Sir Charles W. Dilke.
Mr. Rylands.	Viscount Sandon.
Mr. Richard Shaw.	Mr. Kinnaird.
Mr. Baring.	Mr. Butler-Johnstone.

The Right Honourable *Edmund Hammond*, further examined.

Mr. *Francis Beilby Alston*, examined.

[Adjourned till Monday next, at One o'clock.

Monday, 11th April 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Otway.	Viscount Barrington.
Mr. William Lowther.	Mr. Arthur Russell.
Mr. Rylands.	Mr. Butler-Johnstone.
Mr. Richard Shaw.	Mr. W. H. Gladstone.
Mr. Eastwick.	Sir Charles W. Dilke.
Mr. Frederick Walpole.	Mr. Kinnaird.
Mr. Baring.	Mr. Holms.

Mr. *John William Kaye* and Major General Sir *Henry Rawlinson* were severally examined.

[Adjourned till Monday, 2nd May, at One o'clock.

Monday, 2nd May 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Frederick Stanley.	Mr. W. H. Gladstone.
Mr. Rylands.	Mr. William Cartwright.
Mr. Eastwick.	Mr. Butler-Johnstone.
Mr. Richard Shaw.	Mr. William Lowther.
Mr. Arthur Russell.	Mr. Kinnaird.
Sir C. Wentworth Dilke.	Mr. Baring.
Viscount Barrington.	Mr. Sclater-Booth.
Mr. Holms.	Mr. Otway.

The Right Honourable the Earl of *Derby* (attending by permission of the House of Lords), examined.

Upon the Question being put by Mr. *Rylands*, "Would your Lordship favour the Committee with your opinion whether it is desirable that the system should continue (*i. e.* the system of Treaties being ratified without the knowledge of the House of Commons)?"

The Committee deliberated.

Motion made, and Question put, "That this Question be struck out"—(Viscount *Barrington*).—The Committee divided:

Ayes, 9.	Noes, 5.
Mr. W. H. Gladstone.	Mr. Rylands.
Mr. William Cartwright.	Mr. Richard Shaw.
Mr. Arthur Russell.	Mr. Kinnaird.
Mr. Sclater-Booth.	Mr. Holms.
Mr. William Lowther.	Mr. Eastwick.
Mr. Frederick Stanley.	
Mr. Butler-Johnstone.	
Viscount Barrington.	
Mr. Otway.	

The Right Honourable the Earl of *Derby* (attending by permission of the Lords), further Examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 5th May, 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Frederick Stanley.	Sir C. Wentworth Dilke.
Viscount Sandon.	Mr. Otway.
Mr. Arthur Russell.	Mr. Frederick Walpole.
Mr. William Cartwright.	Mr. Richard Shaw.
Sir Henry Lytton Bulwer.	Mr. Holms.
Mr. Eastwick.	Mr. W. H. Gladstone.
Mr. Kinnaird.	Mr. Rylands.
Viscount Barrington.	Mr. Butler-Johnstone.
Mr. William Lowther.	

The Right Honourable the Earl of *Derby* (attending by permission of the House of Lords), further Examined.

Mr. *William Dougal Christie*, Examined.

[Adjourned till Monday next, at One o'clock.

Monday, 9th May 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Frederick Stanley.	Mr. Eastwick.
Mr. Arthur Russell.	Mr. Cameron.
Mr. Butler-Johnstone.	Mr. W. H. Gladstone.
Mr. William Cartwright.	Viscount Barrington.
Mr. Otway.	Mr. Baring.
Mr. W. Lowther.	Mr. Kinnaird.
Mr. Rylands.	Sir Charles Wentworth Dilke.
Mr. Richard Shaw.	Mr. Holms.

Mr. *William Dougal Christie*, further examined.

In the absence of Mr. *Bouverie*, Mr. *Otway* was called to the Chair.

Mr. *W. D. Christie*, further examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 12th May 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Eastwick.
Viscount Sandon.	Sir Charles Wentworth Dilke.
Mr. Arthur Russell.	Mr. Baring.
Mr. Butler-Johnstone.	Mr. Frederick Stanley.
Mr. Cameron.	Mr. Otway.
Sir Henry Lytton Bulwer.	Mr. Holms.
Mr. William Lowther.	Mr. W. H. Gladstone.
Mr. Rylands.	Mr. William Cartwright.
Mr. Richard Shaw.	Mr. Kinnaird.

The Right Hon. Viscount *Halifax* (attending by permission of the House of Lords), examined.

The Committee deliberated.

Mr. *Francis Beilby Alston*, further examined.

Mr. *Theodore Walrond* and Mr. *Edward Headlam* were severally examined.

[Adjourned till Monday next, at One o'clock.

Monday, 16th May 1870.

MEMBERS PRESENT:

Mr. Otway.	Mr. Sclater-Booth.
Mr. Rylands.	Sir Charles Wentworth Dilke.
Mr. Richard Shaw.	Mr. Baring.
Mr. Eastwick.	Mr. Cameron.
Mr. William Lowther.	Mr. Butler-Johnstone.
Mr. Arthur Russell.	Mr. William Cartwright.
Viscount Barrington.	Mr. Frederick Stanley.
Mr. Kinnaird.	Mr. Holms.

In the absence of Mr. *Bouverie*, Mr. *Otway* was called to the Chair; afterwards, Mr. *Bouverie* in the Chair.

Mr. *W. D. Christie*, further examined.

Upon the Question being put by Mr. *Rylands*, "Has it come to your knowledge, in

your foreign service, that any pensions, or salaries, or additions to salaries, have been paid from Secret Service Money?"—The Committee deliberated.

Motion made, and Question put, That this Question be struck out—(Viscount *Barrington*).—The Committee divided:

Ayes, 7.	Noes, 5.
Mr. William Cartwright.	Mr. Rylands.
Mr. Arthur Russell.	Mr. Richard Shaw.
Mr. William Lowther.	Sir Charles Wentworth Dilke.
Mr. Cameron.	Mr. Kinnaird.
Mr. Butler Johnstone.	Mr. Holms.
Viscount Barrington.	
Mr. Otway.	

Mr. *W. D. Christie*, further examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 19*th May*, 1870.

MEMBERS PRESENT:

Mr. Bouverie, in the Chair.

Mr. Otway.	Mr. W. H. Gladstone.
Mr. William Lowther.	Mr. Kinnaird.
Mr. Rylands.	Sir C. Wentworth Dilke.
Mr. Richard Shaw.	Mr. Arthur Russell.
Mr. Eastwick.	Mr. Butler-Johnstone.
Mr. Holms.	Mr. Cameron.
Mr. Frederick Walpole.	Sir Henry Lytton Bulwer.
Viscount Barrington.	Mr. Baring.
Mr. William Cartwright.	

Mr. *W. D. Christie*, further examined.

The Committee deliberated.

[Adjourned till Monday next, at One o'clock.

Monday, 23*rd May* 1870.

MEMBERS PRESENT:

Mr. Bouverie, in the Chair.

Mr. Otway	Mr. Kinnaird.
Mr. Rylands.	Viscount Barrington.
Mr. Richard Shaw.	Mr. William Cartwright.
Mr. Eastwick.	Mr. Butler-Johnstone.
Mr. Baring.	Mr. W. H. Gladstone.
Mr. Frederick Stanley.	Mr. Frederick Walpole.
Mr. Arthur Russell.	Mr. Sclater-Booth.
Mr. William Lowther.	Mr. Cameron.
Sir C. Wentworth Dilke.	Mr. Holms.

Mr. *Peter Rylands*, a Member of the Committee, and Mr. *John Greenwood*, Q.C., were severally examined.

Mr. *Theodore Walrond*, further examined.

The Committee deliberated.

[Adjourned till Thursday next, at One o'clock.

Thursday, 26*th May* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Otway.	Mr. Butler-Johnstone.
Mr. Rylands.	Mr. William Cartwright.
Mr. Richard Shaw.	Mr. William Lowther.
Mr. Eastwick.	Mr. Holms.
Mr. Kinnaird.	Mr. Baring.
Mr. Frederick Walpole.	Mr. Arthur Russell.
Viscount Barrington.	Mr. W. H. Gladstone.
Mr. Frederick Stanley.	Mr. Sclater-Booth.
Viscount Sandon.	Sir C. Wentworth Dilke.

The Committee deliberated.

The Right Honourable the Earl of *Clarendon*, K.G. (attending by permission of the House of Lords), examined.

[Adjourned till Monday, 13th June, at One o'clock.

Monday, 13*th June* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Eastwick.
Mr. Sclater-Booth.	Mr. Baring.
Mr. William Cartwright.	Mr. Arthur Russell.
Mr. Cameron.	Mr. Otway.
Mr. William Lowther.	Mr. Kinnaird.
Mr. Rylands.	Mr. Holms.
Mr. Richard Shaw.	Mr. W. H. Gladstone.

The Honourable *Thomas John Hovell Thurlow*, examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 16*th June* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Sclater-Booth.
Mr. Frederick Stanley.	Mr. Otway.
Viscount Sandon.	Mr. W. H. Gladstone.
Mr. Arthur Russell.	Mr. Kinnaird.
Mr. Rylands.	Mr. Frederick Walpole.
Mr. Eastwick.	Mr. Richard Shaw.
Mr. Baring.	Mr. Holms.
Mr. William Lowther.	

The Right Honourable the Earl of *Clarendon*, K.G. (attending by permission of the House of Lords), further examined.

The Committee deliberated.

[Adjourned till Monday next, at One o'clock.

Monday, 20*th June* 1870.

MEMBERS PRESENT:

Mr. Bouverie, in the Chair.

Mr. Otway.	Mr. Cameron.
Mr. William Lowther.	Mr. W. H. Gladstone.
Mr. Rylands.	Mr. Frederick Walpole.
Mr. Eastwick.	Mr. Frederick Stanley.
Mr. Holms.	Mr. Kinnaird.
Viscount Barrington.	Mr. Sclater-Booth.
Mr. Arthur Russell.	Mr. Richard Shaw.
Mr. William Cartwright.	Mr. Baring.

Mr. *Algernon Bertram Mitford*, examined.

The Committee deliberated.

Motion made, and Question, "That the letter of Mr. W. D. Christie, dated 23rd May 1870, and addressed to the Chairman of the Committee on the Diplomatic and Consular Services, be *not* printed with the Evidence of the Committee"—(Mr. *Holms*)—put, and *agreed to.*

Motion made, and Question, "That the Clerk of the Committee write to the Members of the Committee respectively, requesting them to return to him the copies of the said letter circulated to them"—(Mr. *Holms*)—put, and *agreed to.*

Sir *Henry Drummond Wolff*, examined.

[Adjourned till Thursday next, at One o'clock.

Thursday, 23*rd June* 1870.

MEMBERS PRESENT:

Mr. Otway.	Viscount Barrington.
Viscount Sandon.	Mr. William Lowther.
Mr. Arthur Russell.	Mr. Frederick Walpole.
Mr. William Cartwright.	Mr. Kinnaird.
Mr. Rylands.	Mr. Eastwick.

In the absence of Mr. Bouverie, Mr. Otway was called to the Chair.

Mr. *Robert Burnett David Morier*, examined.

The Committee deliberated.

[Adjourned till Monday next, at One o'clock.

Monday, 27*th June* 1870.

MEMBERS PRESENT:

Mr. Bouverie, in the Chair.

Sir Henry Lytton Bulwer.	Mr. Arthur Russell.
Sir C. Wentworth Dilke.	Viscount Barrington.
Mr. William Lowther.	Mr. Richard Shaw.
Mr. Rylands.	Mr. W. H. Gladstone.
Mr. William Cartwright.	Mr. Kinnaird.
Mr. Sclater-Booth.	

The Committee deliberated.

[Adjourned till Thursday next, at One o'clock.

Thursday, 30th June 1870.

MEMBERS PRESENT:

Mr. BOUVERIE in the Chair.

Viscount Barrington.	Mr. Holms.
Mr. Rylands.	Mr. Eastwick.
Mr. William Lowther.	Mr. Kinnaird.
Mr. Arthur Russell.	Mr. Otway.
Mr. William Cartwright.	Mr. W. H. Gladstone.
Mr. Cameron.	Mr. Sclater-Booth.

Sir *Henry Drummond Wolff* and Mr. *Robert B. D. Morier* were severally further examined.

Mr. *Henry Du Pre Labouchere*, examined.

[Adjourned till Monday next, at One o'clock.

Monday 4th July 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. W. H. Gladstone.
Mr. Rylands.	Viscount Sandon.
Mr. Eastwick.	Mr. William Lowther.
Sir C. Wentworth Dilke.	Mr. William Cartwright.
Mr. Otway.	Mr. Kinnaird.
Mr. Arthur Russell.	Sir Henry Lytton Bulwer.

Major General Sir *Henry C. Rawlinson*, K.C.B., and Mr. *Henry Du Pre Labouchere* were severally further examined.

The Right Hon. Sir *Henry Lytton Bulwer*, G.C.B., a Member of the Committee, and Mr. *Charles Heneage*, were severally examined.

[Adjourned till Thursday next, at Two o'clock.

Thursday, 7th July 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Kinnaird.
Mr. Cameron.	Mr. William Lowther.
Mr. William Cartwright.	Mr. Otway.
Mr. Eastwick.	Mr. Arthur Russell.
Mr. W. H. Gladstone.	Mr. Rylands.
Mr. Holms.	Mr. F. Stanley.

The Committee deliberated.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 11*th July* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Otway.
Mr. Frederick Stanley.	Mr. Kinnaird.
Mr. Arthur Russell.	Sir C. Wentworth Dilke.
Mr. William Cartwright.	Mr. Holms.
Mr. Eastwick.	Mr. Cameron.
Mr. Richard Shaw.	Mr. William Lowther.
Mr. Frederick Walpole.	Mr. Rylands.
Viscount Sandon.	Sir Henry Bulwer.

The Right Honourable the Lord *Lawrence*, G. C. B. (attending by permission of the House of Lords), examined.

The Honourable *Edward Robert Lytton*, examined.

The Right Honourable Sir *Henry Lytton Bulwer*, G.C.B., a Member of the Committee, further examined.

The Committee deliberated.

Motion made, and Question, "That Question and Answer, No. 3208, be struck out of the Minutes of Evidence"—(Mr. *Otway*),—put, and *agreed to*.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 18*th July* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Viscount Barrington.	Mr. Holms.
Mr. Frederick Stanley.	Mr. Rylands.
Mr. Richard Shaw.	Mr. W. H. Gladstone.
Mr. Arthur Russell.	Mr. Eastwick.
Mr. William Cartwright.	

The Honourable *Edward Robert Lytton*, further examined.

The Committee deliberated.

[Adjourned till Monday next, at Three o'clock.

Monday, 25*th July* 1870.

MEMBERS PRESENT:

Mr. BOUVERIE, in the Chair.

Mr. Frederick Stanley.	Mr. Eastwick.
Mr. Arthur Russell.	Mr. W. H. Gladstone.
Mr. Kinnaird.	Mr. Richard Shaw.

DRAFT REPORT, proposed by the Chairman, read the first time, as follows:—

"YOUR Committee have taken a large body of Evidence upon the Diplomatic branch of the Inquiry referred to them; but they have not been able to enter upon the Consular branch, and they see no prospect of being able to conclude their investigation in the present

present Session. They have therefore agreed to report to The House the Evidence they have already received, and to recommend that the Committee should be re-appointed in the next Session of Parliament."

Report read a second time, and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence and an Appendix.

EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home under Orders of Committee.	Expenses of Journey to London and Back.	Allowance during absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Hon. Thomas John H. Thurlow.	2nd Secretary, Diplomatic Service.	Edinburgh -	3	7 12 –	3 3 –	10 15 –
Mr. Robert B. D. Morier	Secretary of Legation -	Darmstadt -	14	13 3 8	14 14 –	27 17 8
					£.	38 12 8

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Monday, 7th March 1870.

MEMBERS PRESENT:

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Mr. Bouverie.	Mr. Otway.
Mr. Butler-Johnstone.	Mr. Rylands.
Mr. Cameron.	Mr. Arthur Russell.
Mr. W. Cartwright.	Viscount Sandon.
Sir Charles W. Dilke.	Mr. Sclater-Booth.
Mr. Eastwick.	Mr. Richard Shaw.
Mr. W. H. Gladstone.	Mr. Frederick Stanley.
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THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, called in; and Examined.

Rt. Hon. *E. Hammond.*

7 March 1870.

1. *Chairman.*] YOU are Under Secretary of State at the Foreign Office?—I am the Permanent Under Secretary.

2. How long have you held that office?—For nearly 16 years; previously to that I was clerk for about 30 years. I entered the office in April 1824.

3. You are aware that there have been Committees of the House of Commons of recent years upon this subject?—Yes, there was one in 1861, before which I was examined; and there was one in 1850, partly upon the same subject. The principal Committee was in 1861, whose Report has been laid before you, and in my evidence before that Committee, I went into everything which I possibly could think of to elucidate the subject. I only hope that I shall be able to assist you now still further. Perhaps you will allow me to put in what I think will be rather a useful Paper for you, namely, the reports of our ministers abroad upon the working, so far as they have ascertained it, of the system laid down in 1861; and also upon the establishments maintained in foreign countries; and likewise the cost of living now as compared with the year 1850. There is a great deal of information in that Paper, though it is not a very large Return.

4. Are these two circulars from the Foreign Office?—Yes; the collection of Papers will be laid upon the table to-night, and copies will be available to-morrow morning.

5. Are you able to state generally to the Committee what changes have been made in the diplomatic service in consequence of the Report of the Committee of 1861?—There have been no very material changes; I should say scarcely any. A greater development has been given to promotion, at the recommendation of the Committee, beginning earlier, and also emolument as regards the class of unpaid attachés. If you look back at the Report of the Committee you will see that they recommended that after four years' service unpaid attachés should receive commissions as third secretaries, with a proportionate salary, and those who were then unpaid attachés, and had served four years, thereupon received commissions. I am not quite sure that the second point is a recommendation of the Committee, but it naturally followed from the first. The effect of that was that we removed a great hardship from the junior branch of the service, inasmuch as according to the Act of Parliament, their pension, however long their service might be, did not date till they received their first commission under the sign manual. The Committee strongly recommended that that grievance should be done away with; and accordingly, as soon as arrangements could be made, every second secretary then existing, and every attaché who had served for four years, and had qualified himself by passing his examinations, received a commission, and became qualified for pension from that date or on completing four years from the date of his appointment as attaché.

6. The Resolution of the Committee of 1861 was, "That there be two classes of examination

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previous to admission into the service, a first and second, the candidate selecting which he will undergo; if he pass the first he will be exempted from any further examination"?—The regulation first made after the Report of the Committee allowed candidates for attachéships to decide whether they would undergo one or two examinations. Inconvenience was felt in this arrangement, inasmuch as in consequence of the severity of a single examination, six months were necessarily allowed for preparation, and the result was, that an attaché was not ready to go abroad for nearly a year after his nomination; and therefore, in 1865 two examinations were made imperative, the second to take place between the grant of a commission as third, and that of a commission as second secretary.

7. What is the present mode of admission into the diplomatic service?—Nomination by the Secretary of State.

8. And a pass examination, and a certificate?—There is a certificate.

9. Are three or four gentlemen nominated at each examination?—No, only one is nominated.

10. Then he has to pass?—Yes; there is a competitive examination for clerks, but there is no competitive examination for the diplomatic service.

11. Do all the attachés go through a course of employment in the Foreign Office?—Yes, for six months; it was thought that in the Foreign Office they would acquire a general idea of business, and would become very useful attachés by being so employed.

12. Are they all fitted for the different positions?—Yes; according to the requirements of the service.

13. After four years' service as unpaid attachés, do they become third secretaries?—Yes; if they have fulfilled the conditions of passing their examination, and have resided for three years at a foreign court, and if their character is good, and there is a certificate of the minister to that effect, they receive their commission as third secretary, and get their salary of 150*l.* a year from that date.

14. Is there an examination at the period of a gentleman's transition from being an attaché to being third secretary?—No; but he must pass his second examination in order to obtain the position of second secretary. A man need not pass this second examination before his nomination as third secretary; but there must be two examinations from the day of his nomination as attaché before he gets his commission as second secretary.

15. Is there an Order in Council, or any official document regulating all this?—No; the Order in Council does not apply to the examination of attachés.

16. That has all been done by the order of the Foreign Secretary?—Yes, by the order of the Foreign Secretary, carrying out the principle of the Order in Council applicable to the Civil Service generally.

17. Is there any rule established with regard to the advancement of the service, so that a member of the diplomatic body would be entitled to promotion after a certain period of service, or is it arbitrary?—There is no rule laid down. In advancing from an attaché to a secretary of legation, I think that, as a general rule, all go up in regular succession; there is no selection. The Secretary of State is not debarred from making a selection, but, as a general rule, I should say that every attaché, and every second and third secretary, has in his turn the option of going up to a vacancy which may occur in the class above him.

18. Speaking generally, it is a seniority service?—Yes, so far as respects the secretary of legation, and I believe very nearly so far as respects the secretary of an embassy; it is practically a seniority service, but not compulsorily.

19. Is the promotion slow or rapid?—I am afraid that the promotion is not so rapid as we could wish, and as the parties themselves would desire.

20. Have you a tabular statement of the number of gentlemen in the diplomatic service, with their various offices?—I can give it to you. This red book, which is called "The Foreign Office Guide," though not considered by us an official book, is corrected in the office; and here it appears that there are five ambassadors, namely, at Vienna, St. Petersburg, Paris, Berlin, and Constantinople.

21. Has there not been an addition to that number in recent years?—I think that the last creation of an embassy was that of Berlin in 1862.

22. That was previously a minister's post, was it not?—Yes; Sir Andrew Buchanan was named as ambassador at Berlin in October 1862, and he was the last ambassador that was created.

23. Is there any difference between the functions of a minister and of an ambassador, except that one represents the sovereign and the other the country?—The great advantage of an ambassador is, that he has direct access to the sovereign to whom he is accredited.

24. And that is as the personal representative of his sovereign?—Yes, as the personal representative of the Queen. He has a right to demand an audience, which cannot be denied to him; an envoy cannot demand it as a right, but I do not say that he does not obtain it if he applies for it.

25. The salary which is paid to the ambassadors is rather higher than that which is paid to the ministers, is it not?—Yes, because the expense involved in their position is greater; the style of living at an ambassadorial court is much higher than it is at other courts where ambassadors do not reside.

26. Is it expected from the office of an ambassador that he should live in greater state, and at a higher expense than a minister?—I should say so; an ambassador (particularly an English ambassador) suffers from the practice that tradesmen in any place put on a per-centage in proportion to the rank which the person holds; I think that you will find an observation to that effect in the Papers which I have laid before you, namely, that generally the diplomatic body pay in a higher proportion than any of the residents in the place; and I believe that it may be safely affirmed, that if the general diplomatic body pay higher, the English ambassador pays higher than a foreign ambassador; they have an idea abroad that an Englishman is necessarily possessed of large means, and therefore they think that they can safely charge him accordingly.

27. Then you think that the difference of salary between that of a minister and that of an ambassador, does not really represent the difference of advantage to the gentleman who holds the latter position?—I think not; I feel very sure that

that none of our ambassadors can live, without, to a certain extent, applying part of their own personal income, in order to eke out the salary which the Government afford them.

28. You think that the official salary does not adequately represent the income of the ambassador?—I believe so.

29. Is the salary of the different classes of secretaries a fixed amount, or is there a scale?—It differs; perhaps I can assist the inquiry of the Committee by putting before them a document, which though perhaps not strictly official, being prepared for my private reference, applies to the present inquiry; the salary varies according to the place; but if I understand you rightly, you mean that there is not a scale for length of service. There is not.

30. Is a third-class secretary paid a certain salary, and is a second-class secretary paid a certain salary?—It varies; in the same manner as paid attachés were formerly divided into two classes, one receiving 400*l.* a year, and the other 250*l.* a year, so some of the second secretaries receive different amounts.

31. The amount varies according to the place?—Yes, it varies according to the place in which the man resides; this, I believe, is the estimate for diplomatic expenditure proposed to be presented to the House (*producing a document*), though it is not yet an official document; that estimate has gone into the Treasury, and I believe that the Treasury accept it.

32. The third secretaries all have a fixed salary?—Yes, of 150*l.* a year.

33. The second secretaries have a varying salary, according to the importance of the place?—Yes; and also with reference to the expense of living in a place; but it is not a salary upon which, I believe, any one of them can live even when on the highest scale.

34. Is it a condition of the diplomatic service that the gentlemen who are engaged in it must have independent means of their own; I do not mean to ask whether it is an express condition, but whether it is a necessary condition?—It is a necessary condition, because when a young man is appointed an attaché he cannot know to what place he will be appointed, and if he goes to St. Petersburgh, or Berlin, or Vienna, or Paris, he must be prepared to spend at the least 600*l.* a year in the position in which he ought to occupy, and he would live very badly upon that at St. Petersburgh.

35. I will ask you, generally, whether you have found that the examinations have improved the status and ability of the gentlemen who have passed through them?—That is rather an invidious question for me to answer, because if I spoke too favourably of them I might, perhaps, be considered to disparage those who had come into the service before; but I think that since the examinations have taken effect, we have obtained for the service a set of most able, and most attentive young men, and whose conduct is altogether satisfactory; I think that the members of this Committee, if they look to the reports of the secretaries of legation, which are periodically published, will see in them proof of great industry, great ability, and great zeal, and I may add, that the Committee will shortly have before them some most valuable information upon which our secretaries have been employed for five or six months, concerning the land tenure in foreign countries, which information has been obtained with reference to the Bill now before Parliament. It has been so voluminous, that we have not been able to publish it sooner. I believe that the report of one of the gentlemen extends over between 300 and 400 folio pages, and, in point of fact, our printers are regularly swamped with the work. I am pressing them on as much as I can, and I hope to have it out in a week or a fortnight. Then there is another report which has been furnished, and which will be shortly printed, namely, upon the industrial classes in foreign countries, which report will afford a great deal of very valuable and interesting information.

36. Who first established those reports?—Lord Clarendon.

37. When was the rule respecting such report to which you allude made?—I think that it was made in 1856. It originated in this circumstance, that it had become necessary to make an inquiry into the Baltic consulates, and Lord Augustus Loftus, who was then secretary of legation at Berlin, was employed upon it. The result of the inquiry was so satisfactory, and the report was so clear, that Lord Clarendon considered that it would be a very great advantage to the service, as a lesson, and to the public generally, for information, if all our secretaries of legation were desired to make two reports in a year upon matters connected with the commerce, the industry, and the general state of society in the country in which they lived. Those reports have been presented with more or less regularity of late years. I am afraid that this year they have not been quite so regular, because our secretaries have been taken off this year, in order to make special reports, which have, of course, occupied their time, and prevented them from making those reports, which, in a general way, they were required to make under the instructions of 1856. Some years afterwards (I forget now exactly who was Secretary of State) it was determined to utilise in a similar way the class of second secretaries, not with a view to their reports being sent home and published, as the others, but generally to utilise them for the service of the minister, in the same manner as the clerks of the Foreign Office are utilised for the service of the Secretary of State: namely, we recommended to the heads of missions to employ the junior members of the mission in working up subjects upon which the minister himself would eventually have to report to the Secretary of State, just in the same manner as if any question is required to be worked out in the Foreign Office, it is delivered to the proper division of the office, and the senior clerk either himself undertakes the work, or delegates it to some of his juniors. It is a practice which we consider to be the very best training, and any person who had ever been connected with the office as Parliamentary Under Secretary, or as Secretary of State, answering for the business of the office, would agree with me that the rapidity with which, from habit, our clerks are able to get in a few hours what is wanted with regard to a question, in order to enable it to be answered in the House of Commons, is almost marvellous. It has frequently happened to me, both before and since I have been Under Secretary of State, to have, perhaps, a dozen questions placed before the office, at about one or two o'clock, answers to which were to be ready before the meeting of the House, and they have accordingly been ready.

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That is the principle with which we have endeavoured to inspire our foreign missions, because there is no greater proof of a man's capacity than the power of concentrating in a small space, with rapidity, the substance of a mass of information which has to be sought here and there, and in different books.

38. Has that system worked satisfactorily in the foreign missions?—Of course I am not able to say, because I am not acquainted with the results. I hear no complaint from any foreign minister of the insufficiency of his attachés; on the contrary, whenever any foreign minister has occasion to speak of his subordinate members he speaks of them in unqualified praise.

39. Do you receive reports from the chiefs of the missions as to the conduct of the subordinate members?—No, I should object to that.

40. Why?—Because I think that it would be likely to produce heart-burning, and suspicion, and discontent in a mission, if it was known that these confidential reports were sent in. I think that upon a larger scale it has been very much objected to. Those confidential reports have, I believe, been resorted to in some branches of the public service, but I should be sorry to import that system into our service, where the men are few in number, and where in each mission a feeling of distrust might cause an unpleasantness between the chief of the mission and his subordinates, and might not render the relations as comfortable as they ought to be.

41. Do you think that there would be a feeling of favouritism?—I think that all those things had better be avoided. I have always wished to see the missions conducted on the same principle as that upon which we conduct the Foreign Office, namely, perfect confidence, perfect goodwill, and no suspicion. We find that system work admirably in the office. More work is done in the Foreign Office than people will give it credit for, because the men there work with a will, and with an *esprit de corps*, and there is no heart-burning among them.

42. Is the promotion in the Foreign Office a seniority promotion?—Yes; it must be a very decided incapacity which would prevent a man going up to a first class junior clerk. We must exercise our power of selection for the assistant and for the senior clerks, but at the same time in my experience in the office I have had more pleasure than I can describe in once or twice after having had to stop a man's promotion, finding him afterwards qualified for it, and recommending him accordingly on a vacancy, when he has fully done justice to my recommendation. I mean that you cannot judge, and it is hard to judge, of a man until he is put into a position to act. Our junior clerks do a great deal of confidential work, but it is not always that they are in charge. I have opportunities, from absence of service on account of illness, and one thing and another, of testing the quality of our junior clerks, and although I would naturally much rather have the assistance of the senior in charge, I feel that nothing will go wrong even when I have only a junior. The efficiency of juniors as well as seniors arises from the habit which they have of paying attention to everything.

42*. You would debar yourself from that personal knowledge of the character of the gentlemen in a foreign mission by having no communication with the chiefs?—We conclude that if a minister is dissatisfied with his subordinate, we shall hear of it. If the minister does not report a defaulter it is his own fault. Generally speaking, we know pretty well the character of the men without asking for reports. From the way in which the members of the diplomatic body are thrown into connection with the members of the Foreign Office, we know pretty well what the character of a man is.

43. You are able to ascertain the character of each man?—Yes, generally, without any invidious manner of ascertaining it. I am very anxious to maintain the principle; the good fellowship among all the members of our service, either at home or abroad, has been such that I should be very sorry to take any other measures which would imply looking more closely after their proceedings. If I knew that any young man was not leading the life which he ought to lead, and was inattentive to his duty, I should think it my duty both to the young man himself, and to his family, and to the service generally, to have a hint conveyed to him in some indirect way or another that his shortcomings had been noticed, but it would be a very extreme case in which I should recommend an official reprimand to be given to any young man; it only disheartens him. If he has any good feeling he will take the hint; it will have an effect upon him, and it will produce a better effect upon him than if you gave him a formal reprimand.

44. I have asked you with regard to the promotion of the secretaries; does the same reply apply to the steps between the legation and the ministers, namely, that it is according to seniority?—I should say so, generally. It must depend very much upon the Secretary of State. The Secretary of State being responsible, must necessarily be at liberty to pass over any person whom at the time being he may not think sufficiently qualified to fill a vacant post.

45. But at the same time, as I understand you, there is a fair expectation on the part of the secretaries that they may ultimately become ministers if they discharge their duties properly?—Certainly. The Secretary of State cannot be tied down (in the interests of the country) to a seniority promotion. We consider that it would be a very strong measure to pass over a clerk in the order of promotion, supposing that he was qualified for it, but no clerk in the office would have ground to complain if the office of Under Secretary of State should become vacant, and it was not conferred upon him.

46. Are there any instances recently of secretaries of legation having been taken from outside the service?—There is the case of Mr. Wade in China.

47. He was previously in a different position, was he not?—He was Chinese secretary, and nobody could compete with Mr. Wade, in his qualification for the combined office of secretary of legation and Chinese secretary. Excepting Mr. Wade, I believe, every one has passed through the step of paid attaché. Mr. Thomson and Mr. Dickson at Teheran did not pass through the step of unpaid attaché. They were conversant with the Persian language, and having long served in Persia they had a fair claim for the appointments they hold in the Persian Mission. With respect to the secretaries of embassy they have all been paid attachés. With regard to the Chargés d'Affaires and Consul General, Mr. Bunch

Bunch was imported from the Consular Service, and I rather think that Mr. St. John was also imported from it; but Mr. Thomson, now in Chili, was secretary of legation in Persia. The greater part of the ministers, except Sir Rutherford Alcock, Mr. Matthew, Mr. Ward, Admiral Harris, Sir C. Wyke, and Sir Harry Parkes, were appointed in the regular course. In fact I may say that, generally speaking, almost all of our ambassadors and ministers have passed through the grade of paid attaché. Admiral Harris was originally in the Consular Service, also Sir Charles Wyke, Sir Rutherford Alcock, Mr. Matthew, Sir Harry Parkes, and Mr. Ward.

48. What steps do you take in order to secure that a gentleman has a knowledge of the Eastern languages?—I am sorry to say that an attempt which we made many years ago broke down. The late Lord Palmerston appointed four gentlemen, who were taken, I believe, from the universities, with a view of establishing at Constantinople the same system which was established in Persia, namely, that we should have interpreting attachés in Turkey, without the necessity of any regular dragomans, but it failed.

49. For what reason did it fail?—I would rather not answer that question; but of those four persons who were appointed, we have to regret the death of Lord Strangford and also the death of Mr. Wood. Mr. Doria is secretary of legation at Lisbon, and Mr. Hughes is now Oriental secretary at Constantinople.

50. That scheme has altogether fallen through?—Yes. We regretted it very much, but it is less to be regretted now because the Turkish ministers and high officers are generally conversant with the French language, and therefore our ambassador, I am happy to say, can transact his own business at the Porte almost unaided.

51. Directly?—Yes; he can go and see the Turkish Minister. We still want dragomans at Constantinople, because, in the first place, official papers are written in Turkish, and, in the next place, people in ordinary business do not generally understand Turkish; but, for confidential business, I hope that we are very nearly free from the necessity of employing dragomans. However, Sir Henry Elliot is in town, and will be able to attend the Committee, and he can explain his own practice much better than I can myself; but it has been the object of the Foreign Office, for many years past, to exempt the ambassador from the necessity of employing other mouths to execute his own confidential business, and I believe that we find that Turkish ministers like that system very much better. I remember, many years ago, speaking to a Turkish ambassador on the subject, and I believe that nothing would give the Turkish ministers more satisfaction than direct communication with English agents, as a general rule. I have no fault to find with any of our dragomans; they are, I believe, perfectly trustworthy; but there is a certain room, which is called the dragomans' room, where the dragomans of all powers congregate, and where there is probably more discussion on public affairs than is desirable.

52. You think that, for all important matters, the state of knowledge of French possessed by our high officers is sufficient for direct communication?—Yes; it was so with Fuad Pacha, and it is so now with Aali Pasha. I am not able to state the extent to which other Turkish ministers possess the knowledge. I think that some of them do.

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53. There was a Resolution of the Committee of 1861, namely, that it was desirable to have a residence for a term of years, where it was practicable, for the British Embassy or Mission: has that Resolution been acted upon?—Yes, I believe so, to a certain extent. In the case of the Berlin Embassy, and also of the St. Petersburgh Embassy, I believe that the residence has been taken for a term of years, and I think that in the case of the Vienna Embassy it has also been taken for a term of years. At St. Petersburgh we could not get a house for the Embassy under 1,200*l.* a year, and it was thought that the public should not be charged more than 1,000*l.* a year for house-rent, and, therefore, it was settled that the ambassador should sacrifice 200*l.* a year of his salary, in order to make up the amount.

54. The difference being paid by the public?—Yes. At Brussels, I think the salary, which used to be 3,600*l.*, is now 3,480*l.*, the other 120*l.* being paid in aid of house-rent. Perhaps you will allow me to say, with all due deference, that the fact of taking a residence on lease, though very convenient for the ambassador, and for the public service, is not a very economical arrangement for the public, because it involves repairs, and other things, which might have been avoided if the house had been otherwise taken. At the present moment there is a very serious dilapidation to the mission house at Madrid. I have a Despatch to-day, which gives the estimate for the repair of that house, which will have to be repaired at the Government expense. If it were possible for a minister to take a house by the year, as he wanted it, perhaps it might be the most economical arrangement. At the same time, it puts a minister to a great difficulty when he first comes into a place; it may be three or four months before he can get a suitable residence. We have known that that has been the case in various instances. I have known not only our own ministers, but ministers of foreign powers have to wait for months before they could get a suitable residence.

55. What is the rule with respect to the archives of an embassy, or the custody of its documents, after the minister terminates his service, when the minister is changed?—They are handed over to his successor; the instruction is to hand over the archives, the ciphers, and the deciphers, and any other public property, to his successor. He first hands them over to the custody of the chargé d'affaires, who hands them over to the in-coming minister.

56. Do not those things accumulate very much?—Yes; if they did so, inconveniently, we should have them home. It is a very great convenience to have the mission archives on the spot, so that they may easily be referred to, because reference to old archives is very frequently necessary.

57. Is there any rule as to the archives being transmitted here after a certain date?—No; I do not imagine that there is any amount of archives before 1815.

58. Taking a mission of importance, such as that of St. Petersburgh, are all the documents and archives maintained there?—I apprehend that they are.

59. They must be of an enormous amount?—Yes; but at the same time I should be extremely

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sorry to have them brought over here, because I can judge of the wants of an embassy by our own wants. Some years ago we had to go back and to search our archives as far back as the year 1780. At present within the walls of our Foreign Office, we can keep our archives in possession as far back as 1783, and we are constantly referring to old papers.

60. Anterior to that time they are in the State Paper Office?—Yes; I believe that our librarian would be very glad to have papers 200 years before that time. Even when there was a State Paper Office almost adjoining our office, great inconvenience was felt from the want of ready access to papers to which we could not give accommodation in our own premises. The hours in the State Paper Office were much more reasonable than our hours. Very often at six or seven o'clock we wanted a reference going back to some distant period, but the State Paper Office was shut. Very often on a Sunday I want such a reference; I can get it on a Sunday in our office, because we have a person in the house who knows where to find it, but I could not get it from the State Paper Office. No person excepting a person who has been working in the office knows the inconvenience of delay in getting what you want. If you can get it in a short space of time you may look at it, but beyond that time you may not have the leisure to look at it for two or three days. Very often if I am delayed for 10 minutes for a paper I cannot deal with the subject for the rest of the day.

61. Then I understand that the Minister for the time being is responsible not only for the documents of which he himself has had possession, but for the antecedent documents?—Yes; I should hold him responsible for the whole of them. The correspondence is periodically bound, and then I presume that it is deposited in cases. We are always very ready to have the correspondence bound for its preservation, and it is done for uniformity sake, and for convenience. We have enjoined upon the missions the duty of keeping registers of their correspondence, such as we keep in the Foreign Office, so as to enable papers to be discovered immediately. We have registers in the Foreign Office; we have only to look through our registers when requiring to make an examination of papers going over several years, and we then obtain them in a very short time, and that is the system which has been directed to be observed in our missions abroad. Attachés who have seen the working of the Foreign Office before they have gone out to missions know our system of registration, which is perfect. It was only the other day that the American Minister applied to us to inform his secretary how we kept our registers; he was very much pleased with our system. We know that it is a perfect system.

62. The last Resolution of the Committee of 1861 had reference to the salaries and allowances of the larger missions, and the attention of the Secretary of State was called to the point, of whether they were adequate to the increased expenses of living; has that point ever been under the attention of the Secretary of State since that time?—Only in a few instances. I can give you a Paper, which, perhaps, will enable you to ascertain that matter (*producing the same*). This was the estimate which was before the Committee in 1861, and in the margin is the estimate as it stands now. I have another Paper which I think it might be interesting to the Committee to have put in, namely, the salaries and allowances of Her Majesty's Diplomatic Service, and the incidental expenditure thereof, from 1815 to 1869, both years included. It is not made quite uniform, because part of the figures are taken from some old Parliamentary Returns, and therefore one set of figures are in a certain form, and other figures are in a different form. The object for which I framed the latter part of this Return was to show how the fund of 1832 was administered.

63. The incidental expenses do not appear in the second Paper?—No; but I have taken out the incidental expenditure from 1854, and I will complete it for the intervening period.

64. Are the extraordinary expenses and the incidental expenses equivalent?—Yes, they are the same thing; they are sometimes called extraordinary expenses, and sometimes incidental expenses.

65. Is there anything else which you wish to put in?—There are two or three little details connected with the service, which, if the Committee wish, I will read to them. These are the regulations as to the extraordinary expenses. I think the Committee might also wish to have the scale of outfit.

66. This is the settled scale of outfit?—Yes. I have also thought that it might be convenient to the Committee, with reference to the book which I put before them, to take out the salaries, and to have a comparative statement of the expense of the diplomatic service of the principal countries in that respect. I believe that that will save a great deal of trouble to the Committee.

67. Is this a Return of the statements as regards the different nations in the Diplomatic Service?—Yes; it is a Return which is abstracted from the reports upon the Diplomatic Service.

68. Are there any observations which you wish to make to the Committee with respect to that matter?—I wish to call the attention of the Committee to the fact that the French Diplomatic Service is more expensive, as far as salaries go, than ours. We are in excess of all the rest. The United States are in the proportion of one-third to ours; but a point to which I wish to call the attention of the Committee (and it is a a point very much mooted) is the relative expenditure of England and the United States. The United States have not the same interest in the diplomacy of Europe as we have, therefore their expenditure in Europe may well be less. In South America, where their interests are greater than they are in Europe, they exceed our expenditure by nearly 3,000 *l.* a year; and that is not an expenditure on commercial grounds alone. I have another Paper which perhaps might interest the Committee, which I have had taken out, as bearing upon that particular question, namely, the total value of the export and import trade of the United Kingdom, with the various states of South America, in the year 1868. Now our trade was 34,000,000 *l.* altogether. There is no distinction, for instance, showing exactly the American trade, but our trade with Brazil was about 13,000,000 *l.*, the whole trade of Brazil being about 33,000,000 *l.* thus we had a very large proportion of that trade. I do not know the extent of American interest in the Brazilian trade. The proportion of trade with Peru and Chili is also very much in our favour

vour. I only cite these cases as showing that ie American expenditure for diplomatic inter- ourse with the states of South America was uch more out of proportion to the American ade than our expenditure was to the British ade. I will put in that Paper.

69. Mr. *Frederick Stanley.*] Transfers have een made very much more of late years; that to say, persons who have been secretaries of gation, and so on, have been transferred from one lace to another, much more often than was rmerly the case; is not that so?—They have nly been transferred as vacancies have arisen.

70. It has not become the practice of the office transfer the junior members of legation more an was formerly the custom?—The Committee f 1861 were of opinion that a junior should ot remain more than two years at a place, and far as I understand that seems now to be ie general rule.

71. In reference to the Report of the Com- ittee of 1861, have not the junior members f a mission been transferred more often than as formerly the case; and is it not the fact at they have not been continued in the same lace for the same length of time?—I am ot able to draw a comparison, but I can only y that the rule is not to allow a junior to re- ain more than two years at the same place. It sometimes more and sometimes less, but that is he rule which as far as we can we adhere to.

72. Do you consider that that would have an nfluence for good or for evil upon the quality of he reports which they are now in the habit of ransmitting, with regard to the general con- itions of the countries in which they reside?— The gentlemen whom you are speaking of do not ake the reports; it is only the secretaries of egation who make reports.

73. Those gentlemen are not employed in col- ecting information for the purpose of those eports?—No. They would very likely assist the ecretary of legation, but it is not a part of the uty officially prescribed to them. It would be ust a matter of private friendship. I should not onsider that it was a duty obligatory upon the econd secretary to collect materials for the secre- ary of legation.

74. You do not think that the reports would be t all influenced by the change of the junior mem- ers?—Certainly not; and, on the other hand, it s very advantageous to a young man himself to ove about to different parts of the world, by hich he acquires a knowledge of different coun- ries. I am speaking of advantage professionally. do not mean to say that it is an advantage pecuni- rily, because it very often exposes a man to con- iderable expense when he shifts his quarters. But if you did not lay down a rule of that kind here would be a charge of favouritism in the rofession, and it would be alleged that some men lways got the best positions and others got the vorst. Perhaps I may say that the Under Secre- ary of State has nothing to do with the appoint- ent of any person serving under the Foreign Office; that is entirely within the discretion of he Secretary of State. I should be very glad to ee a rule were laid down (though I differ from n ambassador upon that point), namely, that the unior members of the diplomatic service should egin their career at a small mission and should ork up to the higher missions. I am of opinion, or instance, that a person in South America will ick up a great deal of information which will stand him in good stead when he is appointed to other missions, but which he would not have acquired if he had only remained at an European mission. Questions of international law turn up constantly there, which in well-ordered communities do not arise so often as they do in the unsettled state in which unfortunately many of the States in South America are found.

75. Mr. *Arthur Russell.*] Have the secretaries abroad, and the clerks in the Foreign Office at home, availed themselves of exchange?—Not permanently; we have two clerks from the Foreign Office working now for a time abroad, when, if they come home, I have no doubt that the Secretary of State will consent to other clerks doing the same; if he finds second or third secretaries wishing to exchange with them for a time. Two or three of our clerks, I know, are very anxious to go abroad. We miss the assistance of well-trained clerks, for the best trained men coming from abroad can not supply their place; they are unacquainted with cases and current matters to which a trained clerk could at once refer.

76. Do you think it useful for those persons who have served for many years abroad, to come home and work at intervals in the office?—I think that what they do in the beginning of their career is useful: I should be very glad, at any time, to see them work in the office, so long as they did not interfere with the class in the Foreign Office above a first-class junior; above that class I think that we must keep our clerks. On the other hand, I should be sorry to make a change compulsory, because, in the first place, the regular routine of the office is rather irksome to a secretary who, though abroad he may have a great deal to do, does it in a different way. Moreover, secretaries coming from abroad would live very cheaply at home; but it would be very hard to impose upon our Foreign Office clerks, whose salary is not very high, compulsory residence abroad, where they must spend 500 *l.* or 600 *l.* a year. A clerk in London can live tolerably well upon his salary with moderate assistance, even if does not live with his family, but he cannot do so abroad. In a pecuniary point of view it might be advantageous to a secretary coming to England, but it would be hard upon our clerks to send them abroad, for it would entail upon them a much greater expense than they incur in England.

77. Did I understand you rightly to say that the English ambassador is charged more than his French or Austrian colleagues in the same town?—I can only say so conjecturally.

78. Cannot he ascertain the fact?—It is very difficult to fight against excessive charges. There is no reason why a diplomatist should be charged more than an inhabitant of the place, bnt he is so charged; that is stated, I think, in two papers that I have laid before the Committee. There is a diplomatic price, and a residential price; and my impression is, that an English diplomatist abroad will probably be charged more than others.

79. Mr. *Butler-Johnstone.*] You do not mean to imply that an ambassador would be charged more than a minister would be charged?—An ambassador might be charged according to his position.

80. I think you said that Sir Charles Wyke and Mr. Murray were promoted from the consular service into the diplomatic service?—Yes; Sir

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Charles Murray was in the Queen's household, and from thence he was removed to be secretary of legation at Naples; and therefore he did not pass through the lower grades of the profession.

81. It is the custom to remove consuls general to high diplomatic offices, is it not?—No; it is an exception.

82. When such an instance takes place, is it considered by the diplomatic service generally to be to their injury?—I conclude that it is so considered, of course, because it fills up a vacancy which members of the profession might themselves hope to supply, and so far retards the regular promotion in the diplomatic line.

83. Supposing that there was a secretary of embassy, who was very competent for a post which was vacant, and that there was a man equally fitted in the consular service, would it be considered very unusual for the Foreign Office, contrary to the routine of the service, to promote a consul to the post?—Certainly.

84. That is to say, unless there were very strong grounds for promotion from the other service?—Yes.

85. And still more so in the case of a person who did not belong to either of the professions?—The Secretary of State has always reserved to himself the right of selecting any person, without reference to whether he belonged to the profession or not, to fill a particular mission.

86. If it became at all a practice for people belonging either to the consular service, or to either of the two services, to receive diplomatic appointments, would it not be considered a very great discouragement to the lower grades of the diplomatic service?—I should be sorry to see it adopted as a general rule.

87. If it were adopted at all, as a general rule, do you think that it would be difficult to find persons to compete for the lower posts of diplomacy?—I can hardly pronounce an opinion upon that question, but I may say that I find it hard to understand why any person enters the service at all, as his prospects are so very bad.

88. Even at present?—Yes; it is my advice to all persons who ask my opinion not to enter the service; but I nevertheless find them entering it.

89. Is it not generally considered in the profession that it is simply the chance of getting these larger posts which induces young men to put up with their inferior position for many years?—I am not able to answer that question.

90. So far as your present knowledge of the diplomatic service is concerned, do you consider that the persons in that service are fully competent for the highest post of the service; I mean in their different gradations?—In their different gradations they are fully competent for advancement according to their standing.

91. When a higher post falls vacant, is it ever considered at the Foreign Office that there are not competent men to fill that post?—I cannot answer that question, seeing that I have nothing to do, as Under Secretary of State, with the appointment of any diplomatic, or indeed any other person; the question must be asked of the Secretary of State.

92. You have nothing to do with the appointment of diplomatic persons?—I have nothing at all to do with the appointment of any person connected with the diplomatic or any other service. If the Secretary of State asks my opinion upon an appointment which he contemplates, of course it is my bounden duty to give him m opinion, but I cannot appoint or fix a salary, o increase or diminish a salary, or do anything o the kind myself.

93. Have you, at present, any difficulty i getting persons to compete for the lowest offices —No. I was asked the other day how man applicants were on the list for attachéships, an I found that there were about 22.

94. Was that for one vacancy?—They are a nomination appointments.

95. When a vacancy occurs, what is done?— The Secretary of State appoints from his ow list.

96. How many persons compete for the ap pointment?—There is no competition.

97. It is a nomination, in fact, and there is n competition?—Yes.

98. It is a mere test examination?—Yes, bu it is a very severe test.

99. You have no competition in the Foreig Office?—We have a competition for clerkship but not for diplomacy.

100. I think you have said that the Unite States service is one-third less in cost than th English service?—Yes; according to the tabl that I have put in. In South America, th American diplomatic agents cost them abou 2,800*l.* more than ours do. In Europe they cos about one-third of our heads of missions. Per haps it may interest the Committee to kno that, in the year 1855, the United States nearl doubled their allowances for diplomatic service There is an account in the Report of the Com mittee of 1861. In 1855 the Americans in creased the allowances of their diplomatic servic from about 200,000 dollars to 350,000 dollars year; the American diplomatists were very badl off before. In Peru and Chili the salary of th American minister is higher than our own.

101. Mr. *Cartwright.*] With reference to th connection between the diplomatic and the con sular service, you have said that it was con sidered a hardship to transfer a person from th consular service to the diplomatic line; can yo state the rule in the French service?—I canno say how often such a transfer is made, but the do transfer, perhaps, more frequently than w do.

102. Is there a greater connection betwee the two services in the French service, than ther is according to the rules of our service?—I d not know whether there is any particular rule i the French service; there is certainly not in ours but, practically, I have known instances o French ministers who have so commenced thei career. I am not quite sure, but I think tha there are several such instances.

103. There is not that professional separatio between the two branches?—There is not quit so much separation. Latterly several minis ters in our diplomatic service have been im ported from the consular service, and there wa a pamphlet published the other day, on behalf o diplomacy generally, very much complaining o it. Of course in a limited service, as ours i any interloper is viewed with disfavour.

104. In the lower grades of the consular ser vice in France, people who pursue the diplomati line oftener begin with those appointment than they do with us?—I am not able to sa that. I have not studied the point sufficientl to speak upon it.

105. I think that you say, that attachés ar changed

hanged from post to post after two years?—That is the rule, but sometimes the time is onger.

106. I suppose that, as respects the Persian gation, the case is exceptional?—I will not say hat it is so now, because latterly we have had me second secretaries there, who have stayed or two or three years, and have come away.

107. Were not those persons who are now ttachés originally students?—No. So far as egards the diplomatic service, we only train them p from attachés. With respect to Mr. Thomson nd Mr. Dickson, employed in Persia, they entered the service as paid attachés there, what ve now call second or third secretaries.

108. Then your experience as regards promotion is that you never lose a favourable opportunity, because of the restriction? — There s no restriction. Mr. Thomson, who is in Chili, was secretary of legation in Persia for a ong time. There is nothing to prevent his being moved to another place. The Persian is a very easy language to learn; it does not require the same attention to it as the Turkish language. The Turkish language has been described as consisting alternately of a Persian and an Arabic and a Tartar word.

109. Practically the gentlemen have been there for about 20 years without promotion?—They have had promotion in the mission, and they are tolerably well off. I imagine that their pecuniary position in Persia is very much better than it would have been in other missions.

110. Mr. *W. H. Gladstone.*] Have you any papers in the Foreign Office which would show the amount of interchange practised under foreign governments between the two services?—I think that everything which we have bearing upon foreign diplomacy will be found in the Appendix to the Report of the Committee of 1861. There is a great deal in the reports of our different ministers, so much so, that in this year it was deemed unnecessary to obtain any further general information.

111. What is the general result; is it that there is a much more frequent interchange?—I cannot say; in foreign services, such interchanges may be more frequent than in ours; there are many motives which operate in foreign countries and not in this country, of which it is very difficult to give an explanation.

112. I understand you to say that if a consul general were promoted to a diplomatic post, there would be considerable jealousy?—I suppose so, but I cannot say positively; it would not come before me in any way, and I certainly should not invite a confidence of the kind. I should have to contend that there was no ground of complaint.

113. Has such a promotion often taken place?—No, it is a very rare thing. Sir Charles Murray was secretary of legation; he served afterwards in Egypt. Admiral Harris began his career in the Consular Department in the Baltic, and then he went, I think, to Chili, which was a diplomatic apppointment. He then went to Berne, and he is now at the Hague. Sir Charles Wyke had been employed in *quasi* diplomatic services for almost the whole of his career, although he was not what may be called a trained diplomatist. The proof is, that he has received a diplomatic pension. Then there is Sir Rutherford Alcock, whose case is also exceptional. Mr. Matthew, I believe, was secretary of legation; he did not go through the lower grades. The case of Sir Harry Parkes in Japan is also exceptional. Mr. Ward was a consul general and afterwards chargé d'affaires, and minister at the Hans Towns; he has now ceased to be so, in consequence of the political relations of the Hans Towns being merged in the North German Confederation.

114. Is the consul general, although he is not expressly chargé d'affaires, considered a diplomatic officer?—Not unless he has political duties to perform. The application of the Act with regard to diplomatic pensions, has turned upon whether an applicant for a pension had had diplomatic functions to perform. For instance, the consul general in Servia is only consul general; but being principally occupied in diplomatic matters, he would be entitled to a pension by the Act of Parliament as a diplomatic servant.

115. In appointing a person consul general, you would expect him to have certain diplomatic qualifications?—It would depend upon circumstances. With respect to appointing a consul general in the East, I think that the consul general in Servia is almost the only mere consul general whom we have. In certain countries such as Servia and Roumania, Egypt and Tunis, which are dependent on Turkey, we have no diplomatic officers; we have agents and consuls general, who are in an intermediate class between consular and diplomatic officers. An agent and consul general can obtain a pension according to the Act of Parliament under the diplomatic scale, but he would not be generally recognised as a person belonging, strictly speaking, to the diplomatic body, because if he was a recognised member of the diplomatic body, it would by implication amount to recognising the independence of those States.

116. Supposing that a consul general acquitted himself well in the office of consul general, would there be any objection to his having a diplomatic appointment?—Of course there would be no objection to him or to anybody else, but as a general rule I should not say that he would be promoted. It would be very hard, and especially hard now, to appropriate to that class of officers, however meritorious, any of the few posts which should be reserved for those gentlemen who have been trained up in diplomacy. The training now is severe, and I may almost say disheartening, but it is at the same time extremely useful in order to make them efficient public servants. I have very little doubt that, without disparaging the public service at the present day, or our ministers of the present day, against whom I have nothing to say, that as far as advanced abilities are concerned the next generation of diplomatists will, from the training which they have had, be perhaps superior. Some of the secretaries of embassy and legation are most rising and most promising men.

117. Is the standard examination which has to be passed for diplomacy the same as that which has to be passed for the Foreign Office?—It is quite different for the Foreign Office; it is a very slight examination. We require that a person should know sufficient French to copy from dictation; but the only important thing which we do require, and the only thing which I care for in any examination, is the power of making an abstract or precis. A person who can make a good precis is intelligent, and will be a very useful public servant.

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118. The examination for diplomacy is much more severe?—Yes; our examination for a clerkship in the office is really very small, but it is adequate to our requirements, because what we most want in the office is steadiness, willingness, and that sort of good feeling about a man which will enable him to associate with his colleagues on friendly terms, and to assist them; and they, in fact, generally do show a zeal and an *esprit de corps* which is most commendable.

119. There is a competitive examination?—Yes, for the Foreign Office, but not for the diplomatic service; for the latter there is a double examination.

120. Are there often failures in the examination?—There are some failures; but few fail unless under peculiar circumstances; they would generally be allowed another trial.

121. How has the present scale of salaries been fixed; has it not been fixed at different times?—They are occasionally altered. The paper which I just now put into the hands of the Chairman will show what has been the case since 1861, and some of the scales previous to that you will find in Blue Book of 1850; you may have seen the Return which Mr. Rylands moved for, and which was distributed just before Parliament met.

122. Upon the matter of the tradesmen's percentages, do you suppose that the same thing goes on at all in London?—I dare say that it does.

123. Do you think that that is so in London?—I do not know for certain.

124. So far as you know, that practice is not applied particularly to the foreign ministers?—The question has never come before us.

125. Mr. *Holms.*] Do you know whether those per-centages are also charged to the minister at Washington?—I cannot say that they are charged, but I know that the expense of living at Washington is something enormous; indeed every one of our servants in the United States, including consuls and others, complain of the expense.

126. Do you believe that a minister there is charged more than any other person, merely because he is a minister?—I am only quoting an observation which I have known made, to the effect that there is a diplomatic price and there is a residential price; and I should not be surprised if the tradesmen in Washington were equally alive to their own interests in that respect as those in other parts of the world.

127. You have, I think, stated that the examination for the Foreign Office and the examination for the diplomatic service are different; is it also different for the consular service?—Yes, it is quite different for the consular service.

128. Sir *C. W. Dilke.*] What is the position of the gentleman who holds the post at Warsaw?—He is consul general. The amount of commercial business at Warsaw I believe is limited, and there is no diplomatic agent. It is essential that the British Government should know what is going on in Poland. There is a consul general there, but his duties of observation and reporting are essentially political.

129. It is, therefore, somewhat an anomalous post; there are not other posts of a similar kind?—I cannot at present recall the case of a post held by a person in the same position as the consul general at Warsaw; we could not put an agent of any other character in Warsaw but a consular one.

130. Do you happen to remember in what countries the language is not learnt by our secretaries and attachés?—We should not insist upon Russian, for instance. We have our second secretary, who, while he belonged to the Foreign Office, picked up a very adequate knowledge of Russian in six months; he picked up afterwards, in China, a very adequate knowledge of Chinese, which is a very difficult language; he then removed to Japan, and after he had been in Japan for a short time he became proficient in the language, and he was made a second secretary attached to the mission in Japan, partly because the mission required one, and partly also in recognition of the zeal and ability that he had shown in that respect; and he is now, I believe, perfectly competent to run alone, without the aid of an interpreter, and to discuss in the language of the country every affair, however important, which may be brought before him.

131. You except Russia, but no other European country?—Yes.

132. Do you except all non-European countries?—No; because in South America a man should pick up Spanish immediately; he should be able to pick it up in six weeks. A man who in this country knows Latin ought to be able to pick up Spanish; the Moorish words in the Spanish language must, of course, be picked up and acquired by practice. Any person who knows Latin can read Spanish, and also Portuguese.

133. In countries where you do not require a knowledge of the language, and where, consequently, you have some person or persons specially attached to the legation or embassy, as the case may be, who speak the language, and who act as interpreters, and do all the work which requires a knowledge of the language, do you take that into consideration in fixing the diplomatic staff?—No; you are now, I presume, alluding to Turkey.

134. I am alluding to Turkey and Russia?—Almost all the diplomacy of Russia is, I believe, conducted in the French language, and, therefore, although it would be very desirable to have a person attached to the mission as the present consul is, who is a perfect master of the Russian language, yet for mere diplomatic purposes, French is everything which is required. The Russian language is used in some of their diplomatic correspondence, but I imagine that, as a general rule, French is the language for diplomatic purposes which is used by the Russians.

135. From whom do you require reports to be sent in from countries where the secretaries do not necessarily know the language; for instance, from Turkey?—The secretary has means of acquiring information, though he cannot speak the language of the country; of course if it was necessary to have a document translated, or if a Turkish paper required to be looked to, the secretary would avail himself of the services of the embassy dragomans.

136. Have you put in a statement of the cost of the American service?—Yes, it is in the tabulated statement.

137. Mr. *Cameron.*] I think you stated, in answer to a question of the Chairman, that the members of the diplomatic service very much complained of the slowness of promotion; do you consider that that complaint is well founded?—I am very much afraid that it is, because many secretaries have very long standing in the profession without getting promotion.

138. Is the promotion much slower than in the plomatic service of other countries?—That I nnot say.

139. Is a member of our diplomatic service, mpared with foreign diplomatic services, gene- lly a much older man?—It is, I think, stated one of the Papers which I have put in, that at is the case; I am not quite sure that it is ated in one of those Papers, but I have seen it ated in print, within a short time, that it is ther a mortifying position for an English cretary who has grown grey headed in the ser- ce to find that a foreigner, a cotemporary with hom he started, is perhaps a minister, or an bassador, while he himself remains a secre- ry.

140. At the present rate of promotion accord- g to seniority, have you made any calculation how long it would take a man to arrive at the nk of minister?—No; it is so very painful and stressing a subject, that one does not like to nsider it. Take the senior secretary of lega- n at Florence: he became an attaché in 1841, d now we are in 1870; if a mission were vacant might perhaps go there. The next gentleman so became an attaché in 1841. Those are the cretaries of legation, in the grade next but two low that of minister.

141. Is it not the fact that promotion is much wer now than it was when those gentlemen to hom you refer entered the service?—I should y certainly so. Without going very closely to the matter, I should say the promotion must slower, because we have lost five fields of omotion; we have lost the three German mis- ns, and the two Italian missions.

142. Having been so long in the Foreign ffice, do you not consider that the service is lly blocked up?—I cannot deny it; but, at e same time, I think that this might have been ticipated by those who have lately entered into e service. But we have 20 less in the junior ades now than we had in 1861; we had then out 81, and we have now about 61.

143. Can you state how many appointments unpaid attachés have been made since the 1st August?—Six gentlemen have beenappointed cording to this list, which I am told is rrect.

144. Have you any suggestion which you can ake to the Committee to remedy this state of ings, so as to make the service more desirable? No; if the Committee would take into consi- ration the hard position in which these gentle- en are placed, and would recommend that the rvice should be made more of a scale service, should be very glad; by that I mean, that ter a certain number of years' service their laries should be increased; that might be a on to them; it is a boon which is now enjoyed the secretaries of legation. By a rule laid wn by Mr. Secretary Canning, a secretary of gation, after 10 years' service as such, is titled to an additional allowance of 250*l.* a ar, and you will find an asterisk in the Esti- ates to mark those gentlemen who have that ditional allowance of 250*l.* a year; that is the ly boon granted for length of service to the nior members of diplomacy; and I really think at it would be an act of justice to them if the mmittee would recommend, and if Parliament uld sanction, any scheme by which that prin- ple should be extended, and that after a certain ngth of service an additional allowance should be 0.51.

made to those gentlemen who had failed in obtaining their promotion; it would be only applying to the diplomatic service what was the case in the Foreign Office before I came into it (and I believe in all other offices), namely, that instead of the classification which now exists, advancement in a pecuniary point of view went by length of service, and not by seniority. It has happened in the Foreign Office, limited as the Foreign Office is, that a clerk has reached the head of his class, having got to his maximum, and there remained for many years; perhaps it is not frequent at the present moment, but I have known it to happen most severely within my own memory in the Foreign Office.

145. That might be a boon to individual members of the service, but it would hardly relieve the profession of men who were anxious to get on?—No; but it would be an alleviation of the hardship, which men have now to undergo, of spending, for a long series of years, so much more money than they receive, which some now do. Third secretaries have a mere salary of 150*l.* a year, while they are liable to be sent to places at which they must spend a much larger amount. If a man is sent to St. Petersburg, I believe that he may reckon that he cannot live upon less than 800*l.* a year. The difference between the life of a clerk in London, and the life of an attaché abroad, is this, that a clerk in London may live very respectably in lodgings of moderate rental; if he is a prudent man, he may dine at his club or chambers; at all events he may dine very well at his club now for 2*s.* or 3*s.* a day; but he cannot do that abroad. In England he may live in inexpensive lodgings, he wants no servant, and he keeps no carriage; but at St. Petersburg, and in any foreign country, a man can hardly do without his servant, and in St. Petersburg I believe that he can hardly do without some vehicle. Now that is a great hardship to a man, and it would, unquestionably, be a very great boon if the Committee would take that point into consideration, and assist him to some graduated scale of addition to his salary. It is now utterly impossible for a man of moderate means to go into the diplomatic service; at least it is the height of imprudence to do so. The judgment which I have formed from long observation, and from what I have heard from others, and from what I have seen in reports, is that no father would act prudently in putting his son into the diplomatic profession, unless, from the day when he entered that profession as an unpaid attaché, he was prepared to allow him 500*l.* a year. That, I think, is the minimum. I do not mean to say that in every place he would have to spend 500*l.* a year; at Stockholm, and at Copenhagen, he might not have to spend that amount, but you cannot regulate the distribution of the junior members of the diplomatic profession among the missions with reference to their means; they must take their turn with the rest. It would be very hard always to leave a man at an expensive place, supposing that his means did not admit of it; therefore, all gentlemen must be prepared to take their turn, and it is a very severe matter for those who have not the means of meeting the expense of doing so. There was a very excellent Minute issued by the Treasury some time ago, which laid down the principle that a man in embarrassed circumstances could not be a good public servant. Now, the effect of the present system is, that the younger mem-

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bers of the diplomatic service, unless they have a sufficient allowance from their families, must be in embarrassed circumstances, and cannot meet their expenses. That really is a consideration. In looking at the interests of the diplomatic service, which this Committee is appointed to consider, you may not be able to devise means for providing promotion for these men, but I think that you might assist them by supplying them with means to meet their necessary expenses, The work of the diplomatic service has, like the work of all other services, immensely increased within my memory. I had a return made to me recently, which, if the Chairman will allow me, I will put in, as showing the amount in the different countries of the diplomatic correspondence in the last 10 years, that is to say, the bound volumes of the diplomatic correspondence. It illustrates the amount of work in the different missions. Another test which we could apply to the amount of work, is a test which we have been in the habit of keeping in the Foreign Office for many years past, and which is also an index to the work of our missions abroad; namely, the number of papers which have been received in and sent from the Foreign Office in the last 44 years (*the Witness delivered in a Paper*). That is a paper which shows as well as anything else, and better than words could describe, the increased amount of business which the officers under the control of the Foreign Office are called upon to discharge.

146. *Chairman.*] This paper, I suppose, does not include telegrams?—It includes every entry in our diaries.

147. Does it include letters and telegrams?—Yes. In 1825 there were 12,000 entries, and in 1869 there were 51,000 entries. It includes everything which is entered in our day's journal. The practice of our office is that every paper coming into the office is entered in a diary, and every letter which goes out is entered in a diary, and that is the sum total of each particular year.

148. Mr. *Cameron.*] Do you think that it would be possible, without injury to the public service, to employ in place of the regular secretaries and attachés, clerks at a much lower salary to do the part of the work which is called routine work, and which does not require any great amount of confidential habits on the part of the members of the diplomatic service?—I think that such a principle would be utterly ruinous, and the reason is this: in the first place it would not be economical, because if you send an Englishman to any foreign country to act as a copying clerk, you would have to give him at the outset of his career much more than 150*l.* a year to enable him to live there. You now get your attaché for nothing, and you get your third secretary for 150*l.* a year. The next reason is, that nothing is so destructive to the harmony of an office, and still more so in the limited sphere of a mission where you have only four or five members, as to have a difference between the social classes of men. The practical working of such a plan would be, that as every person likes to get the work off his own shoulders, as far as he can, those people would be employed on other than the work for which they were engaged. That would be very inconvenient, considering the character of a great part of the business which is carried on in a mission. Then there is another point of view; you require a certain staff to meet the pressure of confidential business; at Paris, indeed, the pressure comes continually, from day to day; on some days it is more, and on some days it is less. At Berlin it may be perhaps twice or three times a week, and at St. Petersburg and Vienna it is just the same. For the work which is required to be done on those days, you want unquestionably confidential officers; they are fully pressed to do it, but the pressure perhaps does not extend over more than two or three days in the week, and unless those persons also had the current business, and what is called the routine business, to occupy their time when not engaged in confidential business, they would be in idleness. Now, I do not think that it is good for any public servant to have three or nearly four days idle in the week; it is much better that he should be employed, whether on important, or whether on trifling business, and the only effect of appointing clerks to do this business would be that you must have a double staff, and that you would have your business done badly. The same point has been very much discussed with regard to the Civil Service of this country. There is no ambassador (taking the highest grades), and indeed no person in the Civil Service generally, who is the worse for routine training; in fact no ambassador or other superior officer can get his work properly done unless he knows how it should be done, and he can only acquire that knowledge by having worked through all the details. It is the same thing with respect to the clerks in the Foreign Office. It would be destructive to the Foreign Office to import into it a different class of clerks. All our clerks are constantly called upon to deal with the business generally, whatever may be its character. There is the greatest confidence placed in them, but at the same time pressure of confidential business does not occupy a clerk's whole time, although a sufficient number must be ready to do it. Now I will mention a case which happened only on last Saturday night. I left the office at seven o'clock on Saturday night, and I left six of the clerks, and they told me that they must stay till 12 o'clock. They were engaged on business which could only be done by skilled labour, but luckily for them they did get their business over by great exertion earlier than 12 o'clock. At the Foreign Office and at the embassies you must be ready with persons, whether they be secretaries or clerks, to meet any pressure of confidential business, and it would be mischievous if, when that pressure was passed, those people had nothing to do. I am glad to have an opportunity of saying that, because it is a thing which I think should be borne very much in mind in dealing with the Civil Service generally that distinction which is sought to be drawn between the intellectual and the mechanical part of official work is wrong in principle, if sought to be applied indiscriminately to all offices, and it is expensive in itself and tends very much to impair the future efficiency of the service. I perhaps may be allowed to say that, in a comparison instituted the other day as to the relative expense of copying clerks and the clerks on our establishment, I found that the expense for fifteen junior clerks on one establishment, who would be useful to us at all times, whether present or future, from the training which they have got, and who are necessary for all current business, and with whom we could not dispense, was

500 *l.* or 700 *l.* a year less than the same number of copying clerks in the office of one of the other Secretaries of State.

149. You do not use copying machines?—No; I refer to copying clerks; a machine is quite out of the question.

150. Mr. *Frederick Walpole.*] I think that you stated that you regretted very much that Lord Clarendon's scheme for having in each embassy a student attaché, fell through?—It was Lord Palmerston's scheme, but it was only intended to apply it to Turkey.

151. Do you not think that it would be very much for the benefit of the service if that scheme was carried out?—The truth of the matter is, that I am so disheartened by the failure of that scheme, that I should be very sorry again to attempt an experiment of that kind in Turkey; but we have tried it in China with eminent success.

152. And in Persia?—I put Persia out of the question; most of the gentlemen in Persia have, I believe, picked up the language there, but we never had any students in Persia.

153. But you are decidedly in favour of the scheme if it could be carried out?—I do not now think it necessary to repeat that experiment; when the experiment was undertaken, I think in 1840, we were then dependent entirely upon the dragomans for the transaction of all our business with the Porte. We must always have a certain number of dragomans for the peculiar business which they have to perform, but I should think that it would be an unnecessary expense now to revert to that system, which I certainly was very strongly in favour of, and, in fact, I believe that I myself recommended it to Lord Palmerston. That scheme, if it had succeeded, I should have carried out very much in accordance with the view which, I believe, his Lordship entertained; and I should have proposed to make it an establishment like the Foreign Office, namely, that those gentlemen who had been appointed to Constantinople and the East should look to that as their future career, in the same manner as the gentlemen who are appointed to the Foreign Office look to it as their future career. I would have made a classification of them, and I would have laid it down, that after so many years they should receive an increase of salary, and after so many years they should receive a further increase of salary, so as to make it worth their while to remain at Constantinople, and not seek their fortunes elsewhere, in the same manner as the clerks in most Government offices are content to seek their fortunes in the office in which they are originally employed. That was the scheme which floated through my mind when that plan was first in agitation; it fell through, for reasons which I would rather not say anything about; and I confess that I think that the result of that scheme is so disheartening, that, even though good might result from it, I could not recommend another attempt to be made.

154. Mr. *Kinnaird.*] You have said that the principle of seniority obtains, generally speaking, in the office?—Yes, up to the post of secretary of legation.

155. But following up what Mr. Cameron has inquired into, it appears that there are some very remarkable instances; for example, there is Mr. Barnard, who entered the service in 1816, and he has been for 22 years at Coburg?—Yes.

156. Then there is the case of Mr. Thomson, who has been for 22 years at Teheran?—Yes.

157. It must be exceedingly discouraging to the service to have to serve in a bad climate for 22 years?—Mr. Barnard, I think, preferred to remain at Coburg. I have known Mr. Barnard for a long time; my impression has always been that Mr. Barnard had no wish to remove from the post where he is; he is very comfortable there.

158. I am asking the question on public grounds; if since 1816 Mr. Barnard has remained in that position, is it not a great discouragement to the junior members of the service?—No; because you must have somebody there, and the junior members of the service would not gain if Mr. Barnard took a mission which, if he did not take, a person junior to him would take.

159. It prevents a person who is in an unhealthy climate going to Coburg; is there no remedy for the block which exists in the service?—I do not consider that Mr. Barnard has been the cause of blocking the service.

160. In answer to Mr. Cameron, you admitted that there was a block in the service?—Yes; but I think that the block in the service arises from this circumstance: we have a numerous body of juniors, with a very small body of seniors, whereas in former times there were five more missions than now, and five secretaryships, and those missions and those secretaryships are abolished; those are the blocks which I alluded to. I do not consider that Mr. Barnard is a block at all.

161. On the contrary, I see that there is Mr. Robert Grant Watson, who has only been 10 years in the service, and he is now secretary of legation at Athens; that is very rapid promotion; how could that happen in a seniority service?—Because he arrived at the top of the list of attachés; if you will take that list, you will see that the first second secretary was Mr. Lionel Moore, and that the next second secretary was Mr. Watson. I should say that Mr. Watson was transferred to us from the Indian service. In 1858, when the mission was transferred for a time from the Foreign Office to the India Office, Mr. Watson, who was then a captain, or a lieutenant, in the Indian service, was appointed by them to the Persian Mission, and we took him over when the mission was retransferred to the Foreign Office.

Thursday, 10*th March* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND; further Examined.

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162. Mr. *Kinnaird.*] WHEN you were interrupted on the last occasion, I was asking for an explanation with respect to the block in the service; I understand that another Member will examine you upon that point?—I believe that the questions and answers in the evidence, with a little correction, represent very closely what passed.

163. You do not wish to say anything in continuation of your evidence with regard to the block in the service?—I should be glad to say that Mr. Barnard's stay at Coburg has been practically no injury. In the first place, if you look at the Red Book, you will find that every ambassador, minister, chargé d'affaires, and secretary of an embassy, who is now in the service, and who went through the grade of secretary of legation, was made secretary of legation subsequently to Mr. Barnard, and therefore the position of Mr. Barnard at Coburg has not prevented people going over his head. In the second place, I wish to explain that Mr. Barnard's proper salary at Coburg is 400 *l.* a year, and with two exceptions, every one of our secretaries of legation cannot be a loser in the amount of his salary by Mr. Barnard being at Coburg. Until the mission at Dresden was broken up, Mr. Barnard was secretary of legation at Dresden; he belonged to the Dresden mission, but resided at Coburg. In the returns you will see Mr. Barnard's name put down with a salary of 650 *l.* a year, but you will see an asterisk to that figure in the Estimates, showing that Mr. Barnard, having served 10 years as secretary of legation, has come under the provision of Mr. Secretary Canning's regulation, and obtained the 250 *l.* extra for long service. No other gentleman who took the post at Dresden would receive that 250 *l.* a year; he would go upon a salary of 400 *l.* a year, and would not have the 250 *l.* a year until he too had served 10 years as secretary of legation. But an active man, and one who really wished to rise in his profession, would wish to take a more active position than that at Coburg would be. Therefore, practically, Mr. Barnard is an injury to nobody, and I think that he has always been very happy to be at Coburg, and has not wished to be removed. I have never passed a word upon the subject with him, but I believe that to be the case.

164. Can you state what are the advantages to the public of keeping up an expensive mission at Coburg; I suppose that it is not for trade purposes, or anything in a commercial point of view, that it is essential?—Coburg is a particular position; and with respect to that, and one or two other questions which I anticipated would be asked, I thought it more respectful to the Committee to put down my answers upon paper, in order that they might be well considered; and if the Committee will allow me I will read this paper as my answer:—Since the year 1841 the secretary of legation belonging to the Dresden mission has always resided at Coburg as chargé d'affaires, and I believe did so occasionally before that time without that character. The ground of his residence there was the near connection between the Queen and the Ducal family, which connection still subsists with this additional bond, that Her Majesty's second son will succeed the present Duke; and the change in the political status of Germany affords no valid reason for setting aside an arrangement, the grounds on which it was made remaining not only unimpaired, but strengthened by the relation in which the Queen's second son stands towards the ruling family in the Duchy. The cost of maintaining the secretary of legation and chargé d'affaires amounts in the aggregate to not more than 850 *l.* a year, which is the sum of his allowance.

165. Under the change of affairs in Germany, do you think that it is desirable to keep up so many persons at the embassy at Dresden and Darmstadt; they are three rather expensive missions. Can you state what are the benefits which are derived by the state in general. You know that various new countries have been developed, and that there are new outlets of trade; would they not be more usefully represented by this country?—On the same ground that I took a note

a note with regard to Coburg, I have done so as to Dresden, but I am perfectly ready to answer any other questions which any Member of the Committee may put upon the subject. You may say that this is the ground upon which the chargé d'affaires at Dresden is now maintained. The misfortunes of the Royal House of Saxony have excited great sympathy throughout Europe, and, as a proof of this, all the Great Powers continue to maintain full missions at Dresden, as England would also, in all probability, have done, if it had not happened that the British Mission was vacant when the change in North German affairs, consequent on the Treaty of Prague, took effect. The British Mission was not then filled up; but the absence of any diplomatic representative at the Saxon Court, on the part of England alone, of all the Great Powers, was painfully felt by the Royal Family of Saxony, who looked upon it as an indication of indifference to its fate, and it was more keenly felt when the family connection subsisting between the Queen and the House of Saxony was borne in mind. Besides this, the large British colony at Dresden, who had always enjoyed the advantage of the presence of diplomatic representatives of their country, felt it to be a great hardship to be deprived altogether of a representative, and to be forced to repair to the consular office at Leipsic for various acts of formal assistance, which could only be rendered by a British agent. But, even so, they were left without any national protection on the spot. On all these grounds, it was determined to place a diplomatic agent of the lowest rank at Dresden, whose allowances as secretary of legation and chargé d'affaires amount in the aggregate to 950*l.* a year.

166. Have you prepared a paper as to Darmstadt?—Yes; I have a little scruple in making this statement, because it rather trenches on what a person in my situation ought not to say; but still I hope that it will not give offence to anybody. The near vicinity of Darmstadt to the Prussian frontier, and its territorial sovereignty over one of the most important fortresses on the Rhine, now occupied by a Prussian garrison, invest it with a certain degree of political importance not attaching to Dresden or Coburg; and the fact that France and Prussia, Austria and Russia, besides other powers, keep up Ministers in Darmstadt, may be cited as a proof that in their estimation the place is far from unimportant, especially now, when there is no longer a diplomatic body established at Frankfort. But besides this, the Queen's daughter being established at Darmstadt, her husband being close in succession to the Duchy, it would have an unseemly appearance in the eyes of Europe, if Her Majesty alone, of all the principal powers, refrained from showing that respect to the Grand Ducal House which is evinced by the maintenance of a diplomatic representative at the capital; but that representative is not even a chargé d'affaires, but holds merely the rank of secretary of legation, and the aggregate amount of cost entailed for his allowances is 700*l.* a year.

167. Do the same reasons appertain to Stuttgardt?—There are reasons which I have some little embarrassment in stating, considering the official position which I hold, but I have no hesitation in saying that the political interests of the country are benefited by the presence of a Minister at Stuttgardt. In former times there was a mission established at Frankfort, which was the seat of the Germanic Confederation, where all the members of the Germanic body were represented; and therefore through that mission we had the means of ascertaining pretty correctly the feelings of the different courts of Germany specifically as regarded German affairs, but of course not very distinctly as regarded general affairs. That mission is abolished; but I think that any person who considers the state of Germany, and what hinges on Germany, would come to the conclusion that it is not unimportant for the British Government to have full acquaintance with everything which goes on in those German courts, which are still unincorporated with Prussia, so as to know their feelings and tendencies, because their feelings and tendencies may have a most important effect upon the general politics of Europe; and I think that it would be extremely imprudent to deprive the British Government of the opportunity of gaining a correct knowledge of the feelings in Wurtemburg and Baden (because the Wurtemburg Mission also comprises Baden). I think that the amalgamation of those missions with the other larger South German Mission, namely, Bavaria, would not be expedient, because, though in some respects their interests are the same, they may be in other respects divergent, and a Minister going from one court to another, when the opinions of the two courts are divergent in some respects, may be looked upon with a certain degree of suspicion, and not treated in both on the same terms of confidential intercourse, which it is desirable for the purpose for which the mission is appointed that he should be. There is another reason, which is a thing perfectly within my own knowledge, namely, that at a small court, an intimation is frequently obtained of transactions which are likely to occur in Europe, and which may very materially affect the general interests of Europe. In one particular instance, namely, at the commencement of the Austrian war against Italy, the certainty that the war was about to begin was first obtained at a small German court; those are the grounds upon which I venture to say that I think that it would be imprudent to abolish the Stuttgardt Mission; it would be only a partial economy, because we should be certain to keep up, if not a Minister, a chargé d'affaires there. At a court like that we could not give our chargé d'affaires less than 1,000*l.* or 1,200*l.* a year, and 200*l.* a year for house rent, and we should have to give the present Minister 900*l.* a year pension, and therefore the saving would be exceedingly small.

168. You are glad of the opportunity of bringing the matter before the Committee?—Yes; I know that there is a very strong feeling about it, and I thought that the Committee should know exactly the real facts and bearings of the subject; and I can refer in support of the principle of what I now state to a much higher authority than myself. If any gentleman will turn to the evidence of Lord Palmerston before the Official Salaries Committee in 1850 (Question No. 607), I think that he will find what I have now said confirmed by Lord Palmerston, and the ground on which his Lordship maintained it is very much strengthened by present circumstances.

169. Prussia would not look with jealousy upon a Minister at Dresden as interfering with the court at Berlin?—With respect to Dresden, Prussia herself maintains a diplomatic mission in

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Saxony, as she did before; it is a peculiar relation between Saxony and the German Confederation; all the other nations are absolutely included in the North German Confederation, but Saxony has reserved to herself the privilege of appointing Ministers to foreign states, though those Ministers are avowedly in their diplomatic connection subordinate to the general interests of the North German Confederation. We must remember what Saxony is, and the position which Saxony occupies. Saxony stands between two great empires, and she has been *quasi* mediatised for two or three years, as in the great Continental War other states were absorbed or mediatised, but on the re-settlement of Europe those states were resuscitated, and no person can venture to say that at some day or another Saxony will not be resuscitated. In a strategical point of view, it is in a very important position. The gorges of the Saxon hills have often affected a battle field, and may do so hereafter; therefore I think that there are considerations which should make it very desirable that some connection should be maintained between the British and the Saxon Courts, because nothing can happen in that quarter without a general tendency to re-act upon ourselves. I hope that I may be allowed to say that a commotion in Europe, though we may keep out of it, would affect our interests most materially; there can be no complication in Europe of a serious character which would not re-act upon our whole manufacturing population, who are to a considerable extent dependent upon our free intercourse with the Continent for their livelihood and their wealth, and of course anything which tends to deprive them of any portion of their industrial resources must act very injuriously upon them. Therefore it is that the interests of Great Britain on the Continent are not to be measured by what you may call the warlike propensities of the country, but by the industrial propensities of the country. As an illustration of that, I cite the instance of the civil war in America. We know too well the bearing of that war on our industrial population; we know that it crippled and ruined the whole of our cotton population. That is an illustration of the effect which a Continental convulsion would have upon our industry at home.

170. We were informed in the House of Commons the other night, in answer to a question, that the Foreign Office agencies were to cease on the 30th of November next, that date having been fixed to make different arrangements; can you state what those arrangements are likely to be?—The Foreign Office agencies will cease on the 30th of November, in obedience to the wish which was expressed in the House of Commons. I am afraid that our consular and diplomatic service will suffer very much by it. There were certain things to be borne in mind, and the first was, how these gentlemen were to get their salaries which they had received through their agents. Now, it is very easy to say that they could get them through their bankers, but no banker would undertake the business of a client who was not able to leave a certain amount of balance in his hand; in fact, it has indirectly come to my knowledge that overtures made by persons, unconnected with the office, to adopt the business upon the cessation of the Foreign Office agency, required that parties should keep in their hands a balance of 150*l.* Now, when I tell the Committee that in our diplomatic and consular services there are above 200 persons who are not in the receipt of 600*l.* a year, I think that they will agree with me that those persons could hardly be expected to be able to keep a balance of 150*l.* always in their agents' hands. Therefore we are obliged to have resort to an expedient (if the Treasury will sanction it) by which those gentlemen who are not able to obtain, or desirous of obtaining, their salaries by giving a power of attorney to a banker or agent in London, may draw upon the chief clerk at the expiration of the quarter. That proposal is still before the Treasury and we have not received an answer to it. There was another point to be considered, which was entirely in the interests of our diplomatic service and in the interests of the consuls, namely, that heretofore they have always had the privilege of receiving and forwarding their letters under the cover of the official seal; it saved their postage, and it was a protection to their correspondence. That of course was done for them by the agents in the office; but when the agents are abolished, no machinery at present exists in the office to supply their place. Therefore, we have proposed to the Treasury to allow us two postal clerks who would attend to that business, and to that business alone, having nothing to do in the shape of agency. In fact as long as I am in office, if the Treasury assent, I should take very good care to prevent communication on private matters of the character of agency passing between them and the persons whose letters they forward. Now, if the Committee will bear with me, I will read the letter to the Treasury. It is scarcely in an official shape, so that I can put it in, but I can read it in evidence.

171. *Chairman.*] That is an unanswered letter?—Yes, but I will put it in.

172. Mr. *Kinnaird.*] Am I to understand from what you have said, that the clerks who have hitherto acted as agents look for any compensation for the loss which you say that they have sustained?—They naturally hope for compensation, but I am sorry to say that at present they have no assured ground that they will receive compensation.

173. How long has the system gone on?—From before the year 1786.

174. In your own opinion, they are entitled to compensation?—Yes. Perhaps I may be allowed to read this part of the letter to the Treasury. This is a letter written by me under the direction of Lord Clarendon, to the Secretary of the Treasury. It says, "Nevertheless Lord Clarendon feels it due to persons connected with this office, and in whom, as Secretary of State for Foreign Affairs, he takes a warm interest, to express his decided opinion that such compensation is fairly due to them, and cannot be withheld on any ground of justice, or without setting aside the deliberate opinion of the House of Commons and of the Board of Treasury in analogous cases in which compensation has been admitted to be due." Those cases are stated at length in a memorandum which I will put in from the agents; but one of them is so very remarkable that perhaps I may be allowed to allude to it in my evidence. There is a case with which the House of Commons were concerned, which is so strictly parallel that it may be called identical. This case to which the agents would beg to be allowed to refer

s a precedent, which should govern their use, is that of the clerks of the House of Commons, who, up to the year 1836, were ermitted to act as "private agents" for oliciting and passing Bills through Parliament. In 1833 a Committee of the House f Commons was appointed to inquire into the fees, salaries, and emoluments received by officers and public servants of that House, and the ees, charges, and expenses of passing Bills hrough Parliament," and the question of the employment of the officers of the House in private 'arliamentary business, or, as they were called n subsequent reports, "private agents," was fully nquired into by that Committee, which made heir report in August; and after saying that the ystem should be put an end to, they go on to ay, "in taking into consideration the different offices, and the salaries and emoluments attached o them, the Committee felt themselves bound, n justness and fairness to a very laborious and meritorious body of clerks, and by the rule recognised in numerous instances by The House, and observed in all public departments, on the abolition or regulation of any office, to pay due regard to existing interests;" and although they recommended an immediate and general revision and alteration both of the offices and emoluments attached to them, they stated that they did so "with the full intention that such compensation should be made to the persons who might be thereby affected as might be consistent with the circumstances of each individual case." Another Committee sat afterwards, and the matter ended by compensation being granted to the clerks of the House of Commons engaged in private business, in which they had been permitted to engage. There is one other passage, which I will read, in which Lord Clarendon says that the result of inquiries "shows that, with very few exceptions, there is no desire, but, on the contrary, a general feeling of regret, on the part of Her Majesty's diplomatic and consular servants, that a system should be abolished which had contributed very greatly to their personal convenience, which cost the public nothing to maintain, and which did not lead to the abuse which has been erroneously imputed to it, of enabling the agents to exercise influence on appointments, or promotions, to the advantage or prejudice of members of either service."

175. Mr. *Eastwick.*] The examinations first instituted, by Lord Clarendon, on the 1st of January 1856, were, six years afterwards, made more stringent on the Report of the Committee of 1861, and I think that you expressed yourself, in answer to Question 35, as not being dissatisfied with the results of that greater stringency?—I am perfectly satisfied with those results, so far as time has been given to ascertain them. The gentlemen who have come in to the public service since those examinations were established are a very promising class of public servants.

176. There are now two examinations, and in answer to Question 14, you stated that an attaché must pass his second examination in order to obtain the position of third secretary?—That was a misapprehension on my part. I was rather confused. The examinations have been altered two or three times, and I got rather confused, but in my corrected evidence I have put it right. The Foreign Office list is right; it was a misapprehension on my part as to the arrangements about those examinations.

177. In order to pass the second examination, a junior diplomatic officer must return to England, perhaps, from South America: to avoid that inconvenience, would it not be better to have a full examination on admission into the service, or, at all events, at the end of the six months which must be passed in the Foreign Office?—That was the rule partially laid down in the first regulations; the rule was, that the candidate might, at his option, either undergo one examination at the end of six months, or might undergo two examinations. In the first instance he was allowed six months to prepare, and in the second instance only three months. Where two examinations were to take place, the first examination was more limited than it would be if there was only one examination. Great inconvenience was found to result from that regulation, because, practically, taking the length of time that a man required to prepare himself, which was six months, and it was frequently requested to be extended a little, you could hardly refuse a man who begged for another month, and allowing for some relaxation before he commenced attendance in the office, an attaché was not available for the public service abroad for more than a year after his nomination. That was found inconvenient, and it was changed by Lord Russell in 1865. It was merely done for departmental convenience, in order not to keep the attachés too long from their proper duties abroad, when they were first appointed. The change also had this advantage, that the attachés would come to their second examination, in some respects, better prepared as regards languages, and also would be able to do that upon which a great stress was laid, namely, to place before the examiners a report on the countries in which they had resided, showing thereby their power of observation and their general capacity.

178. I understand that you are not dissatisfied with the system of examination for the clerkships in the Foreign Office?—Not in the least.

179. But that is a modified competitive examination?—It is; three persons are named, and the person who gets the greatest number of marks, supposing that he comes up to the standard which the Civil Service Commissioners have fixed (and of which we know nothing), will have his appointment as a matter of course.

180. You stated before the Committee of 1861, that you thought that, for the general benefit of the diplomatic service, no man ought to enter the profession until he had taken his degree at a University, or certainly until he had fairly gone through a public school, and that that was the best training for a man to acquire a knowledge of the world, and tact; do you still entertain that opinion?—Yes, most strongly.

181. In 1841 Lord Palmerston gave two diplomatic appointments to the Universities of Oxford and Cambridge, and Lord Strangford and Mr. Doria were nominated to fill them; in 1845, Lord Aberdeen did the same, and, I believe, Mr. Almeric Wood and Mr. Hughes obtained those appointments?—I think so.

182. Your answer to Question 49 seems to imply that Mr. Alison was one of the four, but he was appointed in 1838, and was never at an English university; will you correct your statement?—That was a misapprehension on my part. Mr. Alison was appointed before the system was inaugurated of appointing young men from the universities, but

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he was appointed on the same principle for studying the language. At the time when Mr. Alison was appointed, I believe that he was nephew, or some near relation, to the Consul General in Albania, and he had acquired considerable proficiency in the language of the East, and was therefore a very suitable person to inaugurate a system which Lord Palmerston for a long time had very much desired to establish, namely, one which would supply the Embassy at Constantinople with the means of interpretation by Englishmen.

183. He was not from an English university? —No; after the appointment of Mr. Alison to Constantinople, the system seemed promising, and Lord Palmerston determined to extend it still further, and if possible to reduce it to a general system.

184. You have stated, in your evidence before the Committee of 1861, that you consider a very strict property qualification desirable for admission into the diplomatic service; would not that be unnecessary if junior members received 250 *l.* a-year in cash, and were allowed a free table?—No, it would not; but as a question of public expense it would come very much to allowing a man a salary of 500 *l.* a-year. I do not think that the Foreign Office is prepared to recommend that an attaché, or even a second secretary, after a few years' probation, should be placed upon a salary of 500 *l.* a year; that is a large sum. When you say a free table, it is but a small portion of an attaché's expense. He has his house-rent to pay, and his servant to provide, and perhaps a carriage. Those things a young man may do without in England, assuming that he is living in lodgings in London, but he cannot do without them abroad; he has not the same facilities of getting attendance abroad as he has here, and in the position which a member of the diplomatic body occupies abroad, it would be scarcely consistent with his general intercourse with society to be placed in an inferior position to that of those parties with whom he is in daily intercourse. I am afraid that that property qualification which I have stated, is indispensably necessary, because I know that it was only the other day that we received a strong representation, supported by his minister, from one of our secretaries of legation, who was then receiving a salary of 500 *l.* a-year, of the impossibility of his maintaining himself upon that amount. That is in a country where there should be no competition for position. A young man entering the profession must take his chance of the place where he resides; he may reside and live cheaply enough perhaps at a small court, but even for the public interest, as a public servant, he must in succession go to large courts, and in the large courts the expense, I am sorry to say, cannot fall short of, and I believe in most instances it very much exceeds, what I have put down as the minimum expenditure. But I would refer you to the collection of Papers which I placed in the hands of the Chairman on the first sitting of the Committee, in which the expense which a young man attached to a mission can scarcely avoid incurring on the lowest scale, is fully stated. I believe that it is stated in regard to every mission, but certainly as regards the principal ones.

185. Does not it come to this, that in point of fact under the present system a person can hardly be said to have a property qualification, because it appears that the junior members in the establishment at present are not able to live upon their allowances; if they had private property there would not be the same difficulty: with regard to what you have stated with respect to keeping 150 *l.* in the hands of a banker, of course if a man was possessed of property, there would be no difficulty in that respect?—I am speaking of Foreign Office clerks; the greater number of them have families, and are residing in London.

186. I am speaking rather of the diplomatic officers? — Our diplomatists do not live in London.

187. I really must press this question; you have stated that there is rather a difficulty now that the agencies are to be done away with, inasmuch as some, I think you stated 200 of the diplomatic and consular officers abroad would find it inconvenient to keep 150 *l.* in their bankers' hands; supposing that they were really men of property, and that this property qualification, which you say is so necessary, were enforced, there would be no difficulty in that respect?—No; but I am afraid that the great majority of our attachés and secretaries of legation are not men of that property which would enable them to keep a standing balance in their bankers' hands. I take it that their salaries are generally spent from quarter to quarter. I am afraid so, although I have no personal knowledge of it.

188. You stated, in your evidence before the Committee of 1861, that your principal objection to opening the diplomatic service to competition was, that you must have people qualified by their social condition in this country to enter the best society abroad. The gentlemen who came from the Universities in 1841 and 1845 were so qualified, were they not?—I suppose so.

189. Supposing that the property qualification was rendered unnecessary in the manner which I have indicated, can you give any definite reasons why the appointments to the diplomatic service should not be thrown open to the Universities for competition, supposing that there was an allowance, say, of 250 *l.* a year, and that there were other allowances? — I should think that it would be desirable that the Secretary of State should have the means of knowing something of a person whom he appointed to the diplomatic service, and of his private life; you, I presume, suggest that such appointments should be thrown open to the Universities. That is one reason; but, in the next place, I think that the prize of the diplomatic service would not attract members of the University generally. I talked to a person connected with Oxford life, some time ago, and I was told that the Universities now hold out such great pecuniary advantages for people who have cast in their lot at the Universities, that a clever man would very much hesitate whether he should forego those prospects, and go abroad into what, even at the best, is a very unpromising profession; it is a very pleasant profession, but 500 *l.* a year would not suffice for a man abroad in all foreign Courts; he could not live upon it, and I believe that very few diplomatists can live, even in the highest grades, upon the salaries which are allotted to them. It is a very expensive profession, and I think that most parents, except those in affluent circumstances, ought to hesitate about putting a son into it; I know that I would not put a son of my own into it.

190. In

190. In one case which has been tried, the ervice obtained a man of most remarkable ilities, and a man of high position; I mean rd Strangford?—That was certainly the case, t it was for a special service; he was appointed a special place, with no prospect held out of ing elsewhere. The object of interpreting tachés was, that they should be permanently tached to the embassy at Constantinople. We ve them a salary at the commencement, and e lodged them; we increased their salary afterards, but we had not time to develope the system hich was then inaugurated. I myself believe at we should have found it necessary (and I now from something within my own knowledge, at we should have found it necessary) to very gely increase the salaries of interpreting ttachés if we wished to keep those gentlemen ermanently with us. There is a certain analogy another part of the world as regards some of ir servants, and we have lost valuable servants consequence of their being attracted from our ervice by greater pecuniary inducements than e could hold out to them. After all, it really omes to a matter of expenditure; if the House f Commons are content to open the public purse, nd to give the members of the diplomatic ervice as much as they require to spend in rder to keep up the position which they have to ccupy, you may then do away with what I call he property qualification; and when I say that hey must keep up the position which they ccupy, I wish to be understood as saying that t is of great importance to the public service hat a junior member of a mission should move bout in the first society of the place in which he esides; it is there that information is obtained f what is going on in the country, and also in ther countries, and that is one of the great uses o a minister of the junior members of the service; they ought to be to the minister what Lord Palmerston said the smaller missions were o the country, his eyes and his ears, and they ught to keep him fully informed of everything hich comes under their observation in society.

191. Supposing that the appointments were hrown open to competition at the Universities, would you not be just as likely, as, under the resent system, to get men of great powers of bservation, and with agreeable manners, and uickness of intellect, which you stated in your examination before the Committee of 1861 to be he chief qualifications required for the diplomatic ervice?—The answer to that question is, Can a ompetitive examination determine anything but he educational qualifications of a man? I believe that it cannot.

192. You have already stated that you think hat a University education ensures certain qualifications, and a knowledge of the world?—Yes; it ensures a knowledge of the world, but many men have a knowledge of the world who do not exactly know how to use that knowledge.

193. Do you consider those qualifications of more importance than linguistic attainments, argumentative powers, general information, and high moral character?—With respect to acquirements of a high moral character, I would ask how are you to ascertain them by a competitive examination? Possibly some of the best men in the University in point of learning would have a difficulty in establishing possession of high moral character by a competitive examination.

194. The fact of a man having passed three years in the University, and of his taking a high degree, would be to a certain extent a test of his moral character?—It is not a test on which you can rel ; I believe that these questions refer to questions put by Mr. George Hope in 1861. Mr. George Hope had a very strong opinion, and I perfectly agreed with him, that it was very necessary for a young man who was to be employed for the greater part of his life abroad, to imbibe in his earlier years those English feelings and sentiments which a young man imbibes at a public school or University. Those questions and answers were directed against a system which my interrogator distinctly condemned, namely, that of sending young men to be educated abroad in foreign languages, and bringing them up, not as Englishmen, but as foreigners; that was the history of Mr. Hope's questions. The tendency of those questions was to establish that at all events the early training of a public servant abroad should be English.

195. According to the Imperial decree of the 18th of August 1856, there are 62 secretaries in all in the French service: in the English service there are five secretaries of embassy, 23 of legation, 34 second secretaries, 13 third secretaries, and 14 attachés, making altogether 89; is not this too great a number: what is the use, for instance, of having three secretaries at Athens, where one would suffice; and three at the Hague, and at Stockholm, and at Stuttgardt?—At the present time the aggregate number, I think, is 61 in the English service, including the secretaries of embassy.

196. I make it out to be 89?—It was so in former times.

197. I make it out to be so at the present time?—You are reckoning in the secretaries of legation.

198. According to the Imperial decree of the 18th of August 1856, there are 62 secretaries in all in the French service; 14 in the first class, 24 in the second, and 24 in the third; in the English service there are five secretaries of embassy, 23 of legation, 34 second secretaries, 13 third secretaries, and 14 attachés, making altogether 89: I ask you, is not that, as compared with the French service, too great a number, and are there not some persons who are employed where they are unnecessary; for instance, three secretaries at Athens?—I am unable to say whether in the French service there are not more than those gentlemen, because they have a class of people whom we have not; I cannot compare the system in the French service, as far as the number of their attachés are concerned, with our own system, and I cannot give you an answer. I cannot say that there are too many, nor that there are too few; all that I say is, that as regards our own service, there are not too many. I must decline making a comparison between our service and another service; so much depends upon the chancellerie regulations of the service they are employed in, that I must decline to give an opinion.

199. At Athens there are three secretaries, two secretaries of legation, and one other secretary; would not one secretary suffice?—A man cannot always live without some relaxation; he must occasionally have leave of absence; and if you lowered the establishment to a minimum, there would be no possibility of any leave of absence being granted.

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200. At all events, if there were a secretary of legation, and one other secretary at Athens, would not that be sufficient?—It is impossible in the Foreign Office to say what is the detail business in any mission. A great deal of time is occupied by things which never come before the office; copying and little things are required to be done, which you want an adequate staff to perform, but I have not the particulars of the establishment at Athens; the establishment which was stated, in reply to a Return moved for last Session, only gives one second secretary at Athens; there may be an unpaid attaché, but I am taking this Return.

201. In the Report delivered this morning there are three secretaries?—I see so in that Return; I am referring to another. The Return you allude to applies only to paid members of a mission, of which probably the head is an attaché.

202. There are also three at the Hague, and three at Stockholm, and three at Stuttgardt?—You must allow that for the greater part of the year one of those gentlemen is away. There are very seldom more than two at a place, and that is not too much, because the secretary of legation is not a person who is employed in the chancellerie work; he is superintendent of the chancellerie; you do not put the secretary of legation to do the copying work, which the junior members do. Admitting the statement to be correct, and your Return to be the most correct of the two, the answer is, that if you had only one second or third secretary there would be an impossibility of his ever having leave of absence.

203. The total cost of the mission at Athens, as given in the report delivered this morning, is 6,344*l.*?—Yes, but that total includes not only salaries, but the translator's and servants' wages, and all other miscellaneous expenditure, and 370*l.* for special missions, and 150*l.* for outfit on an average of years. From that sum about 1,500*l.* must be deducted.

204. With reference to the exigencies of the public service, considering that economy is now so necessary in every department of the service, would it not be desirable to reduce the expenditure at so small a place as Athens, by having there, at all events, two secretaries instead of three, or even one secretary?—I think that there must be attached to the mission at Athens a secretary of legation, and two others, either a second secretary, or a third secretary, and an attaché. After four years' service, an attaché necessarily obtains his salary of 150*l.* a year. The attaché obtains salary under a regulation of 1862. When he has served his time, he comes, under the recommendation of the Committee of 1861, upon a salary of 150*l.* a year; but it all resolves itself into this: I cannot tell you the exact detail work in that or in any other mission, but I can perfectly understand that there is a good deal of current business in the office which gives more or less occupation to the members of the mission. If you put only one secretary there, you would render the minister dependent upon that secretary for the whole current work of the mission, because a secretary of legation cannot, considering the standing which he has in the service, be expected to be employed in all the current routine business of the chancellerie. Then, again, unless you have the means of providing for absences, you deprive the second secretary of any relaxation whatever. Now it was very much pressed upon us in 1861, that attachés were entitled to a periodical leave of absence, and admitting the principle that they were entitled to it, and that it was for the good of the service that they should have it, occasionally one of those attachés must come away; they come away alternately. According to the rule, a second secretary at Athens, if he chooses to run his leave into two years, he may be absent for nearly six months at one time; but if the mission were curtailed, there would be no other junior member there to carry on the business.

205. You think that temporarily the secretary of legation could not discharge the duties?—I think that it would be as unreasonable to require the secretary of legation to perform those duties as to require me to perform the duties of docketing and entering in the Foreign Office. I would very gladly assist the clerks upon a pressure, but I should think it very unreasonable and hard upon me if I was put every day, in addition to all my other duties, to do the copying work of the office.

206. In answer to Question 160 of your last day's examination, you said that the block arises from the abolition of five missions; will you mention what missions those were, and how many attachés have been appointed since their abolition?—The missions which were abolished were Hanover, Saxony, Frankfort, Naples, and Florence. There is now only one Italian mission instead of three.

207. In what year were those missions abolished?—The first three were abolished in 1866, and the others I think were abolished soon after the last Italian War. I cannot exactly remember the year.

208. How many attachés have been appointed since the abolition of those missions?—Since 1866 ten attachés seem to have been appointed.

209. Would it not be better where supernumeraries exist, owing to the abolition of missions, to appoint no more attachés until the supernumeraries are absorbed?—Between 1861 and the present time the numbers I think have been diminished by 18. In a Paper which I have here, I have the thing exactly stated. The number of second secretaries in 1869 was 33, the number of third secretaries was 13, and the number of attachés was 17, making in all 63. In 1861 the number of paid attachés was 39, and the number of unpaid attachés was 42, making 81.

210. Then there are now 17 less than there were in 1861?—Yes.

211. Would it not be better when supernumeraries exist from the abolition of missions, to appoint no more attachés until the supernumeraries are absorbed?—But there are no supernumeraries at the present time. Of the seven who were last appointed, three have already been attached to missions, and the others will be attached immediately they have finished their period of probation at the Foreign Office. There are two gentlemen who have just now gone out.

212. If five missions have been abolished, surely there must have been a number of supernumeraries at that time?—I cannot carry back my mind to how those gentlemen who make the difference between the numbers 67 and 81 have been disposed of; we certainly find that the number has been diminished by 17, as I have stated; and therefore if supernumeraries existed at the moment

noment of the abolition of those missions, they ave since been disposed of as you wish them to e disposed of, and their places have not been lled up.

213. I am rather inclined to press that ques- on; would it not be better, as a general rule, hen a mission is abolished, not to appoint tachés until the supernumeraries are absorbed? If attachés are not required, of course it would e needless to appoint them, but the abolition of issions does not necessarily imply that the rvices of some of those persons are not required; r instance, the Italian Mission and the Prussian mbassy have had a great deal more labour han they had before. That may possibly be the ay in which some of those gentlemen have been isposed of, but I can only point to the fact that he numbers which now exist on the list are much ess than those which existed in 1861, when I as last examined.

214. The age for entering the service is limited o 25; is there any limit at the other end, or can Minister serve on to any age?—There is no imit at the other end.

215. As a general rule, do you consider a ublic servant as efficient after 65 as he is from 5 to that age?—I must decline to answer that uestion, having myself considerably passed the ge of 65.

216. I find that one diplomatic officer has been 2 years in the service, that another has been 45 ears in the service, another has been 42 years, nother has been 44 years, and that Mr. Charles Barnard has been 54 years, and others in the same way; of course their retirement would do some- hing towards removing the block in the service? —Of course it would have that effect, but I do not know that it would be fair to them, or fair to the public service, and it would certainly not be justifiable upon grounds of public economy; I believe that you are now referring to the am- bassadors; four of those gentlemen would be now entitled to a pension of 1,700*l.* a year each, and the two ministers you have named to a pension of 1,300*l.* a year each; you must supply their places, and therefore there would be a clear loss to the country of 9,400*l.* a year.

217. I am merely speaking with regard to the block?—Their retirement would necessarily make vacancies, but I do not think that any Secretary of State would be justified in saddling the country with a large expenditure for pensions in order to make vacancies for those gentlemen who are coming forward. I have always under- stood that we are not to make vacancies in order to appoint other people to succeed those persons, and to pay pensions in addition.

218. You stated, in your evidence before the Committee of 1861, that you saw no objection to attachés being sent to South American missions; if that were done, the six attachés now at the Foreign Office, or six other junior diplomatic officers, might be absorbed by sending them to Lima, Santiago, Bogota, Guatemala, Quito, and Caraccas?—I have no doubt that you are speaking correctly.

219. In 1861 you stated that you saw no ob- jection to sending junior diplomatic officers to the South American missions?—I have no doubt that I said so, because I thought so, and I think so still; but we do not do so because we wish to keep the establishments as low as we can; but I think that some of those South American missions ought to be raised in character, and I believe that we suffer very considerably in the estimation of those countries, particularly those on the Pacific, for instance, Chili and Peru, by keeping our missions merely on the footing of a chargé d'affaires. I should be very glad to raise the gentlemen who hold them to the position of ministers plenipotentiary, even if the other ar- rangements to which you have alluded should not take place; but I think that it is extremely desirable as regards all our South American missions that a third secretary should proceed in the course of his service to them. As I said on the first meeting of the Committee, I think that very much is to be learnt in those missions, disagreeable as they may be when compared to European missions, and I think that no man would regret in after life having learnt what would tend to make him a very much more efficient man than he would be by merely re- maining at European courts. At those missions questions arise which do not occur so often among European Governments, and a man is called upon to deal with those questions in a manner which tests his judgment and his ability for general public service.

220. At present I believe that clerks are em- ployed at the South American missions in copys ing despatches, and that they also have charge of the archives?—Yes, from necessity. That sys- tem has dated from the time when those mission- were mainly consular establishments, and not as now diplomatic ones. That system was allowed to continue. In the first place it would have been a very hard thing to send out an unpaid attaché to South America, where he would be put to a considerable expense and would have to make a very long voyage; and, in the next place, if we sent a second or third secretary there, I believe that we should have had to increase the number of those classes.

221. But could not attachés be sent there without very much increasing the expenses; some clerks are employed at a salary of 150*l.* a year; of course those clerks could be dispensed with if attachés went, and the attachés could be paid?—Certainly. I should be very glad, as a relief to the diplomatic service, that that should be done; it would relieve the service from a hard- ship or a difficulty which now exists. I am not quite so certain whether the attachés would prefer a residence in South America to a resi- dence in Europe; but, at the same time, the system which you propose would be a great relief with regard to the junior members of the ser- vice.

222. And it would also secure what I believe you are desirous of securing, namely, that clerks in the junior branch of the service should not have charge of the office?—Yes. It is of less consequence in South America than it is in Europe. As a general principle, I should much prefer that the person in charge of the diplomatic chancellerie should be a diplomatic officer.

223. And also the junior diplomatic officer would be on the spot and able to take charge of the mission, supposing that the minister went away?—Yes. At present at some of the missions where there is no junior diplomatic officer the senior consul would take charge.

224. And therefore if it was desired to draw a very clear distinction between consular and diplomatic services, it would be better to have a junior diplomatic officer present?—I should very much prefer it.

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225. Do you see any objection to employing junior diplomatic officers instead of consuls in inland places, such as Erzeroum and Warsaw?—As regards Warsaw, a junior diplomatic officer would not do for it. As a rule, of course there is no objection to making a diplomatic officer consul at any place, but Warsaw is rather a a political place.

226. In some places you would see no objection to that course being pursued?—I see no objection to it, though I am afraid that it would be very unpopular with the consular body generally; we might fill up vacancies, as *quasi* political appointments, in countries like Servia and the Principalities, and Tunis, and Egypt, by members of the diplomatic profession; but at the same time, perhaps, the doing so would be disheartening to the members of the consular profession, as they very often look forward to such appointments as the reward of long services.

227. Is there any suggestion which you can make in order to alleviate the present state of block in the service?—I am afraid that I can make no other suggestion. It would not alleviate the block, but it would alleviate the position of our junior members in some respects, if they were allowed an addition to their salary after a certain number of years' service. When Mr. Secretary Canning laid down the rule (I believe in 1825) that because promotion was slow, a secretary of legation, after 10 years' service, should receive an addition to his pay of 250 *l.* a year, there was the same block in the higher ranks as there is now in the intermediate ranks; and if the Committee would take that point into consideration, and would recommend it as I put it, I think that the junior members of the diplomatic service would feel very grateful for it. That suggestion I make on their behalf.

228. That system prevails in some of the Government offices, for instance, in the India Office; when a man has served for a certain number of years he gets an advance of pay?—I am not acquainted with the system in the India Office. Before 1825, when the system of classification was introduced, the clerks in the Foreign Office had an increase of pay according to their length of servitude. That system was abolished when the classification of clerks took place, and they are now fast bound in their respective classes; a man cannot go beyond the salary of his class until he gets to the class above him, and I believe that at times that system has acted very severely indeed.

229. In answer to Question No. 108, you stated that Persian is a very easy language; did you state that of your own knowledge?—I have heard that it is easy as compared with Turkish, and I judge it to be so, because I believe that the gentlemen who in former times were appointed to Persia were not long in picking up the colloquial language.

230. Then your remark would probably apply only to the colloquial language?—I believe that no Englishman, however well conversant with Oriental languages, would venture to write a formal note in the language of the country. I have asked the question of people who have been well conversant with Persian, and I have found them shrink from doing so, and that is the reason why in all those places we are obliged to have natives in our service. We have the dragomans in Turkey, and similar persons in Persia, and in China we have writers. It arises from the difficulty of knowing exactly the expressions which ought to be used.

231. You were speaking, in your answer to Question No. 108, of a colloquial knowledge of the language?—Yes.

232. Reading papers is, of course, very different?—I do not exclude reading papers, but I exclude writing the language.

233. Would not Indian officers have an advantage in going to the Persian Mission over those going from Europe, as being generally acquainted with the Persian language?—I am not sufficiently acquainted with the Indian system to be able to state how far that would be the case.

234. Has not the Persian Legation been at times under the India Office?—Yes, it was so up to 1835; it was then handed over to the Foreign Office; at the end of 1858 it was re-transferred to the India Office, and at the end of 1859 it was re-transferred to the Foreign Office.

235. But even while it was under the Foreign Office, the officers at the head of the mission, and some of the other officers, were Indian officers, were they not; for instance, Sir John Macdonald, Sir John M'Neill, Sir Justin Sheil, Colonel Farrant, Sir Henry Rawlinson, and Colonel Pelly?—We took over the members of the mission as we found them; the senior members of the mission were taken over, and Mr. Watson was taken over from the India Office when the mission was re-transferred in 1859.

236. The rupture which took place with Persia took place at a time when an officer was there who had not been trained in the Indian service?—It did; but the previous rupture took place when there was an officer there who had been trained in the Indian service.

237. That second rupture did not proceed to actual war?—Certainly not, because we were not pushed to actual war.

238. Most of the officers in Persia are Indian officers; for instance, the Resident at Bushire, and all the officers of the telegraphic establishment?—The telegraphic officers are not officers of ours; the Resident at Bushire is appointed by the Indian Government.

239. The Resident at Bagdad, who has considerable relations with Persia, is an Indian officer, and the consuls at Zanzibar and Muscat are generally Indian officers, and are always appointed by the Secretary of State for India, and if we send military officers to Persia they will be from the Indian army?—Yes.

240. And you would say, that our relations with Persia are chiefly important with respect to India?—They are, in some respects, important as regards India; but Persia has other neighbours besides our Indian Empire, and if any difficulty arose with those other neighbours, it would concern the empire at large, and must come under the cognisance of the office which deals with countries bordering on Persia. I may, perhaps, assist the Committee if I read the history of the transfers of the Persian Mission, and the causes of them. The ground on which the superintendence of diplomatic relations with Persia was, in 1835, placed under the Foreign Office was, that it was supposed that the counsels of Great Britain would have more weight with the Persian Government, if urged in the name of the Sovereign, than

an if tendered merely on behalf of the East dia Company. It is a mistake to look upon rsia only from an Indian point of view. Im- rial interests are very closely bound up with at country. On the north, and on the west, her ritories are bounded by those of two powerful pires, any question with which arising out of rsian affairs can only be discussed directly by e Imperial Government, speaking through the cretary of State for Foreign Affairs; and ough the ground stated, in 1858, for remitting e charge of the Persian Mission to the India fice, the Government of India being then ectly vested in the Crown, namely, that every estion which came under discussion between this ntry and Persia concerned more or less the itish Government in India, was so far correct; t account was not taken of the fact, that rsia, from its contiguity to Turkey and Russia, ne, as far as British interests were generally ncerned, within the dominion of Imperial icy; and if the independence of Persia were ced in jeopardy by her northern or western ghbours, the representations to be made, and good offices to be exerted, on behalf of rsia, could only emanate from the Imperial vernment. This consideration doubtless in- enced the condition on which this transfer was owed to be made, namely, that, as a *sine quâ* , the Secretary of State for Foreign Affairs uld be kept accurately informed of all diplo- tic transactions which might take place at the urt of Teheran. At the close of the year 59, however, within one year after the trans- of the Persian Mission was made to the India fice, the mission was re-transferred to the reign Office, on the ground that there were the Persian Court representatives of France, ssia, and Turkey (and it might be added, w, if not then, which I forget, representatives Persia at those Courts, as well as at Her jesty's Court), and that the matters treated by Her Majesty's Minister at Teheran re necessarily connected with the relations ween England and those three Powers; and t it was therefore necessary that the Secre- y of State, who had to convey instructions to British Minister at Teheran, should be inti- tely acquainted with all that was passing, on stern affairs, between Her Majesty's Govern- nt and the French, Russian, and Persian vernments. The same reason which then sted, founded on such diplomatic relations tween Persian and other Governments, exists, possible, in still greater force at the present ne, and any change in the existing relations tween the Persian Mission and the foreign Go- rnment would tend to injury, not only on perial but also on Indian grounds.

241. Since the Government of India has been ced directly under the Crown, and since the ministration of India has been under a cretary of State who has the same power as Secretary of State for Foreign Affairs, of rse your objection to the transfer to the India fice has been removed?—That state of things sted in 1859, when the mission was re-trans- red to the Foreign Office.

242. Would not an Indian officer necessarily ve a greater acquaintance with the Persian guage than any officer who could be sent out m this country?—Yes; but it is not merely th Persia alone, but with Persia's neighbours,

that the Imperial interests are concerned in regard to Persia.

243. Would you consider that our interests in Persia, with reference to Russia and Turkey, are to be compared with those which relate to India?—Any difficulty which might arise with regard to Persia would be an Imperial difficulty, and might involve us in serious difficulties with Russia and with Turkey. It is therefore important that the control of those matters, which would eventually have to be discussed on Imperial grounds, should altogether be under the authority of the Secretary of State for Foreign Affairs who would have to discuss them.

244. Any difficulty which might occur in Persia, with reference to Russia, would probably be also with reference to India, judging from past history?—I do not think that it would be desirable, on any account, that Persia should be merged in either of her neighbouring states. It would be certainly undesirable on Indian grounds, and it would be undesirable on Imperial grounds.

245. I believe that India pays the expenses of the missions at Bushire, Bagdad, Muscat, and Zanzibar, and 12,000 *l.* a-year towards the mission at Teheran, besides all the expenses connected with the telegraph in Persia, and of our flotilla when we have any in the Persian Gulf?—India pays us 12,000 *l.* a-year for keeping up the Persian Mission; with respect to all the rest, I do not believe that we have any expense, and therefore I suppose that India pays it.

246. The service in Persia is not popular with the diplomatic officers, is it?—I am not aware that it is otherwise than popular.

247. The transfer of the Persian Mission to the India Office would be a gain to the Imperial exchequer, would it not?—The effect of the transfer of the mission in 1858 was that it saddled the Imperial exchequer with an expenditure of about 3,000 *l.* a year, which it never incurred before. From 1835 up to 1858 we contrived, excepting in two years of difficulty, to keep to the amount allotted to us. Including the two years of difficulty, as far as I remember, I think that we exceeded the 12,000 *l.* on an average of some years, by about 300 *l.* a-year. It was a condition which was made when the mission was transferred in 1858, that the Imperial exchequer should pay 3,000 *l.* a-year to the Indian Government towards the expense of the Persian Mission. I am sorry to say that from 1859, when the mission was re-transferred to the Foreign Office, we have never succeeded in keeping down the expenses to 12,000 *l.* We are now making a great effort to do so, and we hope that we shall succeed. The general expenses in Persia have increased, but I think that we shall succeed in bringing down the charge for the Persian services nearer to 12,000 *l.* than it has been of late years.

248. Am I not right in saying that the total expenses of the Persian Mission were in some years as much as 18,000 *l.*?—All that I remember is, that in 1858 it was insisted upon that the Imperial exchequer should pay 3,000 *l.* towards the maintenance of the Persian Mission. I myself thought that very wrong, and I protested against it, but unsuccessfully, and now the expenses of the mission exceed on an average 14,000 *l.* a-year; 12,000 *l.* is the contribution of the India Office, and I suppose that since 1860

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sums varying from 2,000 *l.* to 3,000 *l.*, and 4,000 *l.* a-year, have been the charge appearing in the finance accounts, as being an addition to the 12,000 *l.*

249. I suppose that there would be no objection to putting in a memorandum showing the total expenses of the Persian Mission from 1860 to the present time?—There would not be the slightest objection to putting it in, except that I cannot put it in for the year when it was under the India Office; I could put it in from 1835; I know that a Return was presented to Parliament some few years ago, which went over a great number of years, and I can put it in.

250. Since 1859?—Yes.

251. Mr. *Richard Shaw.*] I understood you to express an opinion in favour of keeping the diplomatic and consular appointments separate and distinct; do you mean that you would not recommend the consular service to be used as a stepping stone to the higher service?—I think that it is better that it should not be so.

252. Will you state your reasons for that opinion?—The services are very distinct; the training for the consular service is not calculated for diplomacy. In the evidence which I gave before the former Committee on the consular service, I said that I thought that it would be very undesirable to encourage consuls to look to advancement in the political branch of the service, because it would have a tendency to distract their attention from their proper consular duties, and to induce them to seek to engage in political duties; and we might have a great number of differences with foreign Powers to settle from the over zeal, and the over ambition which our consuls might display; I think that that was the ground which was stated before the Committee of 1858. It was considered desirable that the two services, as far as possible, should be kept distinct; there was no objection to importing occasionally an agent into the diplomatic service from the consular service, or from the consular service into the diplomatic service, but it was thought that, generally speaking, it was better to keep the services distinct; the advantage would be largely in favour of not making diplomatic advancement a thing to be sought for by consuls.

253. Do you look upon the consular service as essentially commercial only, and upon the diplomatic service as essentially political?—Generally so.

254. I believe that the examinations on entering the two services are quite distinct?—Yes.

255. Therefore a person might be quite competent to discharge the duties of a consul, but not competent to discharge those of an attaché or secretary of legation?—I can hardly give you a definite answer to that question, but the training is quite different.

256. Is any person of ordinary intelligence fitted for the duties of a consul?—I presume so; I am not aware that any very high order of intellect is required; of course the higher class of intellect which a man may have the better; but the duties of the consular office do not require high intellect. We have some very able consuls; I must not be understood to say that any person amongst them might be characterised as a person of low intellect, but generally they are quite a different class of men from those in the diplomatic service.

257. You do not require the same high standard of intellect for the consular departments as you require for the diplomatic service?—No.

258. I believe that there are some instances of the promotion of a consul to a diplomatic post; but those cases are rather rare, are they not?—Yes, they are exceptions to the rule. As far as I recollect, the gentlemen in the cases to which you allude have gone through the intermediate training of consuls general and chargé d'affaires. I think that originally, though not now, almost all the South American appointments were held by gentlemen who began as consuls general, as commercial officers, but when political relations were entered into with the countries, the higher diplomatic rank of chargé d'affaires was superadded to that of consul general, and in some instances persons were appointed from the diplomatic branch.

259. If such a system was general, do you not think that it would create great dissatisfaction in the diplomatic corps?—I cannot doubt that it would do so.

260. If you preferred attachés to the consular body, would it not create great dissatisfaction in the consular body?—Yes; I have said so. With regard to transferring them to certain higher consular officers I should make a distinction, because there are certain consular officers who are almost political.

261. I am speaking of the consular establishments generally; I am aware that there are certain exceptions?—I think that it would occasion very great dissatisfaction, and a very just dissatisfaction, in the consular service, if a diplomatic officer were named a consul at one of our large commercial consulates, for instance, such as at Marseilles, or New York, or any of those consularships where the salary is high, and the position is great. Those, I think, are the prizes to be looked to by the consular service.

262. Am I right in assuming that gentlemen in the diplomatic service receive a special education of a political character before entering it?—That is a question which I cannot answer; I know nothing of the young men before they are named.

263. What is the nature of the examination?—The examination is stated in a Return, which has been put in.

264. Is it usual to appoint attachés and secretaries to consulates?—No; speaking on the spur of the moment, I do not remember an instance of it.

265. Mr. Monson, I think, was appointed last year?—He had left the service for five years; he had ceased to be a third secretary; it was not a transfer from one service to the other.

266. Where was he appointed?—At the Azores.

267. I believe that the trade between this country and the Azores is very insignificant?—I am not able to say.

268. Do you know the population?—No. For many years past, the consular department has not been at all under my control. I shall be perfectly ready to enter into any of the general matters of the consular service, but upon the details I cannot speak.

269. Are there any political interests in the Azores which require the intervention of any representative

representative from this country?—I apprehend that you could not have a diplomatic agent in the Azores, because you do not have a diplomatic agent except at the capital of a country.

270. Are there any diplomatic interests?—if there are such interests they can only be treated, as in all other consulates, by a diplomatic channel. If a treaty is neglected, or if an undue exaction of duty is made, justice can only be obtained, supposing that the influence of the consul with the local authorities is not sufficient, through the diplomatic representative at the Court.

271. At Marseilles would not the consuls communicate directly with the Foreign Office here?—Yes. If the consul at Marseilles could settle a matter with the local authorities, he would do so; but failing that, he must communicate with the ambassador at Paris.

272. Are there particular functions at the Azores which, in your opinion, render it necessary to have a political consul there?—He is not a political consul.

273. He was an attaché?—Yes; but he had entirely ceased to belong to the diplomatic service.

274. Are there any duties in connection with our establishments in those islands which an ordinary consul could not discharge?—I cannot speak about the Azores; the gentleman who is there is nothing but an ordinary consul.

275. You say that you are not acquainted with the details?—I am not acquainted with the details of the consular service.

276. Mr. *Rylands.*] I think that you have said that the unpaid attachés are nominated by the Foreign Secretary?—Yes.

277. And that all the members of the diplomatic service enter into the service through the door of unpaid attachéship?—That is the rule.

278. And that that door is opened or closed by the Foreign Secretary at his own will and pleasure?—All appointments are under the exclusive nomination of the Secretary of State for Foreign Affairs.

279. The Secretary of State for Foreign Affairs can introduce any person whom he likes as an unpaid attaché, or can refuse to introduce any person as an unpaid attaché?—Of course, as is the case in all other Government offices, and with all other appointments whatever; there is no distinction in that respect between the Secretary of State for Foreign Affairs, and every other person who has an office to control.

280. I think that I may assume that there is a considerable pressure for nominations to unpaid attachéships?—I know that there are a considerable number of applications.

281. In fact, the idea that persons would not like their sons and nephews, and connections to go into that service is not borne out when you consider the pressure which is put upon the Foreign Secretary for these appointments?—I believe that to be the case. The word "pressure" is too strong a term, but the Secretary of State receives a great number of applications for appointments as attaché.

282. In experience is it not found that the few unpaid attachéships are granted by the Foreign Secretary to personal friends, or political friends of his own?—I am not competent to say upon what ground the Secretary of State makes any appointment.

283. From your knowledge of the facts which have come under your observation, will not the nominations to the Foreign Office, being at the will and pleasure of the Secretary of State for Foreign Affairs, naturally flow into channels in which he is more particularly interested, either from friendship or from family or other connections?—That is a question which I have some difficulty in answering. The first intimation of an appointment being about to be made, is most frequently conveyed to me by a minute, saying that a person is appointed. It is not within my province to know anything about the motives of it.

284. What is the average number of vacancies every year in the diplomatic service?—I think that there are two a year.

285. I speak with reference to the higher offices of the diplomatic service; what is the number of vacancies in a year?—I cannot say.

286. Do you think that it is three?—I should not say that the average is even one in 12 months.

287. But a vacancy has been filled up in the 12 months?—Yes.

288. As a matter of course the number of persons who go in at the door which is opened by the Foreign Secretary have to go out somewhere?—Every person entering the service as attaché doubtless hopes, if he lives long enough, to rise to the rank of ambassador, and there is nothing to preclude him from doing so; and in all probability, so far as the rank of a secretary of legation and a secretary of an embassy is concerned, he will, as a general rule, rise to the top of the list.

289. There has been only one vacancy during the last 12 months, which is rather more than usual, and the Foreign Secretary opened the door for six members of the diplomatic profession?—In addition to that I think that there have been some deaths and resignations.

290. Of course my question included the promotions which would lead to vacancies in the service?—One secretary of legation retired. There have been several retirements.

291. Will you state what is the average number of vacancies in the diplomatic service, and what number of vacancies have occurred within the last 12 months arising out of deaths, resignations, or promotions?—I will endeavour to obtain that information for the Committee.

292. With reference to nominations to unpaid attachéships, is not the effect of the nomination by the Foreign Secretary that a very considerable number of gentlemen who have been introduced into the diplomatic service through that door have been connected with the aristocratic classes?—I cannot answer that question. In one of the papers there is a statement of the names of gentlemen who are now existing, and who have been for a good number of years in the service.

293. Is it not the fact that the introduction of unpaid attachés on the nomination of the Foreign Secretary has led to a very considerable number of members of the aristocracy being members of the diplomatic service?—If I am to understand by "members of the aristocracy" members of noble families who would have the word "honourable" prefixed to their names, I should not say that that is the case. I do not think that there are now many such persons, but I am very little

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acquainted with the families of the members of the service. I find in the list the name of the Honourable Edward Lytton—that is Lord Lytton's son. There is also the Honourable Mr. West; he is the son of the late Lord De la Warr; but there are others who are not members of a noble family. According to this list there are very few such persons among the secretaries of legation. I only see in this list the names of four gentlemen having the word "honourable" affixed to their names.

294. Then you do not think that the statement made by Mr. Layard, a few years ago, that very many persons in the diplomatic service belonged to the aristocratic class, is correct?—I cannot criticise any statement which Mr. Layard has made; my impression is that, as a general rule, there is no preference shown to the aristocracy in the appointment of members of the diplomatic service; that is to say, the aristocracy of birth; the aristocracy of wealth, for the reason which I have given you, must be taken into consideration, because it is necessary that a man should have a certain amount of private means, or that his parents should be able to supply him with those means, in order to enable him to live in a very expensive service.

Monday, 14*th March* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND; further Examined.

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295. *Chairman.*] YOU have some Papers, I believe, that you wish to put in, in answer to questions asked you the other day?—Yes; Mr. Eastwick asked me the expenditure on the Persian Mission, and I thought that I could give it more completely than I did then, and I have had it made out from 1835 to 1869. Then he asked me also about the comparative numbers of the French and the English diplomatic service. The honourable Member did not turn over the leaf which he was reading from, and therefore he did not observe that in that book, in addition to the secretaries whom he mentioned, there were 24 attachés mentioned. But, since, I have got the exact details from Paris, and the result is that our mission service consists of 85 officers, exclusive of heads of missions, and the French of 124. That Paper I will put in. Then there was another question, by the same honourable Member, about the large establishment of the English Mission at Athens. I find that the French have there a minister, a third secretary, acting as first, two attachés, and a chancelier; that is to say, one more than we have. I was also asked the other day about the property and the social qualification for appointments to the diplomatic service. Out of that Blue Book which the honourable Member was reading, I have taken the qualifications in the different services, and I find that in almost every service, for instance, in the French, the Austrian, the Dutch, the Russian, the Italian, the Belgian, the Bavarian, the Danish, the Prussian, the Spanish, and the Portuguese services, there is either a specific money qualification, or a requirement of social position. In the Austrian service, for instance, it is said that a man who seeks to belong to it must be a person fitted by education to move in the higher classes of society. I will put that Paper in. Then Mr. Shaw asked me the value of the British trade with the Azores. I find that in 1868 the import and export trade exceeded 500,000 *l.*, and that the tonnage of ships entered and cleared was rather over 70,000 tons. Then Mr. Rylands wished to know the distribution of the numbers of the diplomatic body between the noble families and commoners. That is rather a difficult Return to make out, because a great number of them belong only very indirectly to noble families; but giving to the credit of noble families all that you could possibly assign to them, you will find that there were 50 connected with noble families, against 70 not connected with noble families. I believe that that is correct, but in the 50 there are certainly included more than ought perhaps strictly to be included; the relationship being so distant. Then I was pressed about what might be called the block in the profession. Now the block in the profession does not arise from its being over-stocked by persons, but from the fact that we have been deprived of five missions and five secretaryships, and the chances of promotion, therefore, are smaller. But I have taken the average of the year 1861 and the year 1870. The number of second and third secretaries and attachés in 1861 was 81, which gave upon the average rather less than three to each embassy and mission. In the year 1870 the number of second and third secretaries and attachés is 61, which also gives on the average rather less than three to each embassy and mission. Therefore it is not that the profession is over-stocked, but that the chances of promotion are limited. The last Paper that I have to put in, is a statement of the average number of vacancies in the diplomatic service in the five years ending December 1869. They are as follows: three ambassadors (you cannot make a yearly average of that number); 10 ministers, the yearly average being two; five chargés d'affaires, the yearly average being one; six secretaries of embassy, the yearly average being one one-fifth; 17 secretaries of legation, the yearly average being three two-fifths; and 22 second secretaries, the yearly average being four two-fifths. The third secretaries are appointed without reference to vacancies. Then another question asked me by Mr. Rylands was the number of vacancies leading to promotion from the 1st of January 1869. There were one

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chargé d'affaires and consul general, two secretaries of legation, and two second secretaries, making five in all.

296. Mr. *Rylands.*] I think you did not say what number of appointments had been made of unpaid attachés during the five years that you have referred to?—My attention was not directed to that in regard to five years, but only in regard to 1869; but I can state it in a moment. There were 18 such appointments from the 9th of August 1865.

297. Including the six named last?—Yes, including them; all told.

298. That is an average of rather under four a year?—Yes.

299. In asking you, with respect to the constitution of the service as regards members of noble families, of course I need hardly say that I did so with no invidious motive, or that we should not all be pleased to see the junior members of the aristocracy achieving distinction in an open service; but you quite understand the difference between that and a close patronage system, allowing only the introduction of a particular class of society?—Of course that is quite an abstract question. I can only be called upon, I think, to deal with the question as a practical question, and the result of dealing with it as a practical question is what I have already stated, that at the present time there are in the service 50 officers whom we can contrive by one way or another to connect with noble families, and that there are 70 commoners. Having stated that fact, I should hope to be excused from answering the abstract question.

300. You are quite aware, no doubt, that taking simply the European missions, the number of members of noble families in proportion to commoners would be very much greater than it would be, taking the whole of the missions over the world; simply confining your answer to the European missions, would you be prepared to say that there are not two-thirds of those missions occupied by persons connected with noble families?—Those figures which I have given you apply to all our missions; wherever there is a secretary or an attaché, those gentlemen come within the average which I have named.

301. But you are aware that in the European missions there is a much larger proportion of members of aristocratic families?—The reason of that may be that, except in Brazil and Buenos Ayres, we have none of the lower ranks at all in the regular diplomatic service in South America; there may be a translator here and there; but no member of the diplomatic service, properly so called, is employed in South America in a junior capacity, except in Buenos Ayres and Brazil.

302. I think you are quite alive to the fact which you stated to the Committee, that the expense of men living in foreign capitals on their own resources practically shuts out every man who has not a fortune of his own?—It does, certainly.

303. Do you think that the public are likely to remain satisfied with a system which restricts appointments in an important branch of the public service to persons of family connections or interest, or in possession of wealth?—I can only answer that question by another. Are the public prepared to pay the expense of another system?

304. The present system in fact shuts out the sons of poor clergymen or of gentlemen of small means, or the sons of tradesmen who may have acquired a university education, and are otherwise suited to fill positions in the public service?—Necessarily it does; for as I stated before, with regard to small tradesmen, without at all wishing to disparage that class of the community, I should say that, as a general rule, the son of a small tradesman was not quite the person to go into the first society of foreign capitals.

305. Are you not aware that there are cases in other professions, say in the Church and in the law, where some of the most distinguished persons, archbishops and lord chancellors, have been the sons of barbers and butchers?—I am perfectly aware of that; but what may be very good in this country may not quite suit the taste of a foreign country. I think that if the members of our diplomatic service are to move in the first foreign society (and it is indispensable for the diplomatic service that our junior members should move in that society), they should be persons in the same social position as those amongst whom they move. And you will allow me to say that those sons of tradesmen, though they may rise in this country by their talents to the highest rank, are not in that highest rank when they commence their career as young men of 21. You must bear in mind that if the son of a tradesman in this country became lord chancellor his grandson would derive his status in a foreign society, not from his grandfather, but from his father.

306. Do you not think that this class of young men looking forward to a career entirely dependent upon their own exertions are more likely to be zealous, attentive, and efficient in the fulfilment of duty than fashionable young men of family or wealthy connections who look to other sources of income?—My own experience of the gentlemen of whatever class of society who are appointed to the diplomatic service, does not enable me to answer that question in the affirmative. I believe that the gentlemen appointed within my memory (which now runs over a period of 40 years) to the diplomatic service are as zealous, as able, and as competent to perform the duties of the service as persons of any other class of society.

307. Is it not the fact that the present system of appointing young gentlemen of family and position as unpaid attachés has been complained of by ministers abroad as subversive of good discipline?—I cannot say that it has. You are alluding to what passed in 1861; but I believe, if you look at that evidence very closely, you will find that as a general rule, although our Ministers and ambassadors of that day who were examined before the Committee thought it a great hardship that men should be called upon to serve without pay, yet they had no fault to find with the zeal, or ability or diligence of any of their unpaid attachés.

308. I have got before me a Despatch from Lord Cowley to Lord John Russell, presented to the Committee of 1861, in which he says, "I think the principle itself of exacting work without pay is a bad one. It is, to a certain extent, subversive of good discipline, because no chief likes to exercise even a necessary authority over an unsalaried subordinate, while the subordinates themselves are not unnaturally apt to grow careless under a system which leaves them so long in suspense." What have you to say to that?—That was an abstract opinion of Lord Cowley's; but

but you will not find in Lord Cowley's evidence, or in the evidence from any mission, an opinion bearing out that as the practical result of the system.

309. You do not agree with that opinion?—I am not called upon to agree to or disagree with an abstract proposition. I can only speak to this Committee of the real state of things, and for that I can answer confidently.

310. I think you told us that there was a difference between the nomination to attachéships and to clerkships in the Foreign Office?—There is no difference in the nomination, but in the examination.

311. In the one case there is a test examination, and in the other case there is a modified competitive examination?—Yes; the test examination being very severe, the modified competition being slight, according to the necessities of the service in which they are respectively called upon to be employed.

312. The training in the Foreign Office, and that in foreign missions, I presume, are of a different character?—I hardly know how to answer your question. In both cases persons are engaged about the same business, but the training of the Foreign Office is that which is calculated and designed to enable the office to keep in check and to regulate the whole service abroad; the service abroad, on the other hand, does not regulate the Foreign Office.

313. Which do you think is the best training, the training which a young man gets in the Foreign Office, or that which he gets in a foreign mission?—They are each for their respective objects equally good; but it is very desirable that a young man going abroad should have a certain knowledge of the details of the cognate business, you may say, carried on in a large office like ours, which may be useful to him in his after life, as making him acquainted with the manner of transacting business on a large scale; his training is, in point of fact (I believe as is the case in every trade), an apprenticeship. You do not put a person to exercise any trade or any mechanical profession whatever, without passing him through an apprenticeship, and the early part of his career is the attaché's apprenticeship. And I may go still further, and say that a person in trade, when he has passed his apprenticeship, does not think that he has done all that is required for his education in life; but he studies this and studies that, and he goes here and goes there for further instruction, and just in the same manner an attaché studies abroad what is requisite for him to learn. A man may come home occasionally to refresh his memory as to the manner of carrying on business in the Foreign Office.

314. Then am I to gather from your reply that you do not think that the training in the Foreign Office is in any way superior to the training in missions abroad?—The training is for quite a different purpose; you cannot draw a comparison between them, except in so far that they are both trainings; you cannot say that one is better, or that the other is better. You train a man for the law, and you train a man for the Church. Both trainings may be equally good, but they are very different from each other.

315. What are the duties of unpaid attachés?—I can only say generally that they are employed in common with all the members of the mission to carry on the business of the mission. Whether a specific paper is given them to copy or not, or whether a specific duty is imposed upon them, it is impossible for me to say. I dare say that any ambassador can tell you very well on what they are employed. All I say is that they are employed, I presume, in the same manner as all our clerks are employed; and all our clerks are employed generally in their several degrees upon the business of the office.

316. Are they required to be regular in their attendance at the legations, and punctual in the performance of duty?—There is a rule laid down on the subject by the Foreign Office, but it depends upon the heads of missions whether they enforce that rule; we do not enforce it; and I should be sorry to have a daily attendance book sent from each mission every year among their other returns; we do not require such a thing at the Foreign Office, for this reason, that in the Foreign Office (and the remark applies also to our missions abroad) the junior members are often very severely taxed, and are liable to be called upon at all hours (and especially is that the case abroad), not only in the day, but in the night; and therefore, if you tax those gentlemen in that way, you must not lay down or enforce any very stringent rules, because if your rule as to attendance is stringent, the attaché has a right to require that it should act both ways; supposing, for instance, the rule says that he may go away at five o'clock, and you enforce his coming at 12, you would have no right to require him to stay after five o'clock; and that state of things would be of very great detriment to the public service. In all those missions abroad, as well as in our own Foreign Office, it is a sort of give and take thing for work; the work must be done whatever sacrifice it may impose upon those required to do it; and I believe that in some of our missions, at certain times, great labour at very irregular hours is imposed upon the service; it is not only in dispatching and copying papers that labour is involved, but telegrams are coming in at all hours of the night, which attachés must perhaps spend hours in deciphering. A telegram is not correctly sent, perhaps; and I, myself, have spent a couple of hours in making out a figure; nobody can tell the strain upon the mental and bodily capacity of a man from being put upon those things at what may be called unlawful hours.

317. I may assume that there can be no doubt that a very large amount of the public duty of an attaché in a foreign mission will consist in copying papers?—I cannot give you any definite answer as to what are the duties of an attaché in a foreign mission, for we see but little of them: but I take it that at Paris and at all the larger places frequented much by our countrymen, a great deal of the time of the attachés and others is taken up in seeing people and in transacting their various little affairs, for which they have recourse to the mission, and which are very important to them, but which certainly nobody would ever think of reporting home.

318. Again, I suppose I may gather from your answer that it would be desirable for the Committee to get evidence on this point from some head of a mission?—I have given the Chairman a list of as many as I could think of who were in this country.

319. Referring to the point about paying the unpaid attachés, would it not be better in your opinion for the efficiency of the public service, to

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have only paid officials, and to see that the public got sufficient work in return for the salary ?—To the latter part of your question I would answer that, salary or no salary, you have the work most efficiently performed without reference to the question of no pay or any amount of pay. I cannot admit that any member of our diplomatic service is at all influenced in the discharge of his duties by the consideration of emolument or no emolument. As regards the former part of the question, it is really a question of expense; are the public prepared to pay what it is necessary that a man to be useful at a foreign mission should possess, or are they not?—I should be very sorry to present to the House of Commons an estimate to cover the really necessary and indispensable expenditure of the junior members of our service. They are of no use to you unless they can move in the first circles of society. It is there that a great deal of the current information which it is desirable for the Government to obtain is picked up; and they must make friends with people to obtain it, and also with the diplomatic body. Then, too, you must remember that foreign Governments would not be guided by our precedent if we were to put a different class of men into our missions; yet if we had a different class of men in our missions that class of men could not associate on equal terms with the members of other foreign legations; they would be in a most mortifying position, and one in which I do not think any person would wish to see them placed. Upon that point I wish to read an extract from a Paper which I have put in; it is a despatch from Sir Alexander Malet when he was envoy at Frankfort in 1860: "In continental countries a decided preference is shown by all Governments for employing in this grade of the profession (attachés) young men of some definite rank or position; and there is no use in disguising the fact that the want of these adjuncts acts as a virtual disqualification, and where, as occasionally happens, persons of inferior birth are employed, they meet with mortifications discouraging to young men seeking entrance into the first ranks of foreign society." I think that really meets your question.

320. Must I understand, then, that in your opinion there would be no greater efficiency secured in the public service by having paid officials in the place of unpaid attachés?—In my opinion there would be no greater efficiency secured.

321. You were asked on a former occasion whether a much lower class of labour than that of secretaries of legation could be got on the spot for mere copying, and I think that you disputed the practicability of that?—I answered the question by saying that at this present moment our attachés receive nothing; you cannot pay a man less than nothing. Our third secretaries receive 150 *l.* a year, and you could not send a copyist to a foreign country to live at that rate of salary. The next point is that that copyist, who I understand should only be employed upon mere common work, not confidential work, would, for a great part of the business of the mission, be perfectly useless. You must provide a sufficient staff in a mission to discharge confidential business, and you cannot say how much time may have to be devoted to that confidential business when it arises. I have no doubt that it happens in most of our large embassies and missions abroad, as it does in the Foreign Office at home, that at times, particularly on post days, they are hard pressed by confidential business, which could not be entrusted to any but confidential and trained servants, and that their staff is not more than adequate to perform that business. But I went on to say that neither in a foreign mission, nor in the Foreign Office at home, is the pressure of confidential business continual; still there must be a sufficient number of the class of persons competent to discharge that confidential business, come when it may. There may be only one or two hours to get through a great mass of such work, and if you could not find employment for attachés when that pressure had ceased, you would have a number of idlers about the office, who would be no use there, and would do harm to themselves and to everybody else.

322. I think I understood you to say that, in respect to the promotion of attachés, there was a regular succession, and practically no selection?—That is practically the case.

323. Efficiency on the one hand or inattention on the other, are practically not recognised?—We have no complaints in regard either to efficiency or attention. I cannot say what we should do with a case of marked inefficiency or marked inattention if it were reported to us by the head of the mission. Those things, I am happy to say, do not occur.

324. But practically, under the ordinary circumstances of the case, there is no method of rewarding exceptional zeal and ability and activity in the public service on the part of those young men in the way of promotion?—I wish there was, for there was a case the other day in which one of our public servants did distinguish himself extremely, and we asked the Treasury to grant him some recognition of his services, but we did not succeed in obtaining it.

325. Is it not a fact that promotion of clerks in the Foreign Office depends, to some extent, upon competency?—It does.

326. May not the Secretary of State pass over a man because he has not so conducted himself as to be worthy of promotion?—Unquestionably.

327. Do you see any reason why the appointments to the Foreign Office and to the diplomatic service should not be made on precisely the same grounds?—I believe they are, for aught I know.

328. Except in the point which was referred to just now, that in the one case there is restricted competition, and in the other a test examination?—Yes.

329. I think I understood you to say that the test examination which has been recently applied to the persons nominated for the diplomatic service has been found to be an advantage?—Certainly.

330. Do you not think that a greater amount of competition, perhaps even open competition, might be still more advantageous in securing efficient civil servants in the diplomatic department?—I do not think that it would be desirable to have open competition, nor indeed do I think it necessary to have even limited competition for attachéships in the diplomatic service. You might perhaps have some difficulty in finding candidates for that employment disposed to go through a competitive examination with the chance of failing, when they were to serve for four years without pay.

331. But supposing that there was no unpaid work in the department, that objection of yours would

would be removed?—It would be mitigated; but after all, even with a limited competition, you might assume that as the same care must be taken in selecting persons for the diplomatic service as there is now, competitors would not be sent in to the examination, unless, irrespective of their book learning, they were likely to prove useful members of the diplomatic body.

332. You are aware that in the Indian service open competition is now adopted?—You cannot compare the two services; they have nothing on earth to do with each other.

333. I find a letter on that subject from Mr Ward to Lord John Russell, which is also included in the Report of the Committee of 1861; I think Mr. Ward is a man of very considerable experience?—Mr. Ward, I should say, is only accidentally in the diplomatic service.

334. But he has had considerable experience, has he not?—In the consular service he has, but not much experience in the diplomatic service, only from the time that he was appointed as minister at Hamburgh, his previous occupation being that of consul general.

335. How long ago was he appointed minister at Hamburgh?—He was appointed there in 1865; but then I must remind you that Hamburgh is not on the same footing as courts where a Sovereign is the ruling power. The Hans Towns are a conglomeration of states, and the diplomatic body of Hamburgh was in some respects not quite on the same footing as in other places where there is a court representation going on.

336. Mr. Ward expresses the opinion in the despatch to which I refer, that it would be desirable to apply to the diplomatic service the system of open competition; do you agree with that?—I entirely disagree, and everybody else who has anything to do with the diplomatic service would entirely disagree with it.

337. Is there any reason why the service of the Foreign Office, and the diplomatic service, should not be assimilated, and the ranks in each, up to a certain point, be the same; that there should be, in fact, a corresponding line of promotion in the two services, the gradations in the two services being made the same, so that if it were necessary to exchange, for instance, a junior clerk of a certain standing with a second secretary of a certain standing, there should be no difficulty in the matter of pay or pension?—The difference would be this: a second secretary would not like to be transferred as a junior clerk in the Foreign Office, who commences with salary at 100*l.* a year, going up to 150*l.*, and then, when he gets into his next class, commences at 150*l.*, and rises 10*l.* a year till he gets up to 300*l.* I do not think that any regulated interchange between second secretaries and the class of our junior clerks would be serviceable or practicable.

338. My question goes to ask you, whether there is any objection to the grades of promotion and the pay being assimilated; do you see any reason why certain ranks in the diplomatic service should not be placed on precisely the same footing, as regards pay and pension, with certain ranks in the Foreign Office, so that the promotion in the grades of the two services should be the same?—In the first place, as regards pensions, the two services are regulated by two different Acts of Parliament; one comes under the Diplomatic Act, and the other comes under the ordinary Superannuation Act, and, therefore, you could not assimilate them in that respect.

339. But this Committee is about to report to Parliament, and I suppose that Parliament has the power, if it thinks it right, to remove all those difficulties by altering the Act that you allude to?—Except that it would involve the placing one branch of the civil service on a different footing from that on which all the others stand; it would place the pensions of the Foreign Office, as compared with the general civil service of the country, upon a different footing than it is now on.

340. But it would be the same footing with that of the diplomatic service?—No.

341. The House of Commons might make it the same?—The House of Commons might make it the same, but the effect of making it the same would be to make a distinction between one Government office and all other Government offices in the country.

342. But the one Government office would be made to correspond with the great department with which it is connected; I mean the diplomatic service?—I presume that there would be an objection, in principle, to taking one of the Government offices out of the general category, which includes it and all the others. That really is a question, however, which I am scarcely able to deal with.

343. I simply wanted to know your opinion as to whether it was desirable?—Perhaps without dealing with the question of pay or pension, I may say that there is nothing now to prevent interchanges, permanent or temporary, between the respective classes of certain gentlemen in the Foreign Office and certain gentlemen in the diplomatic service. We will not go into the question, looking at it in a pecuniary point of view; but there is nothing in the regulations (as you will see stated in my evidence in the Blue Book before you) to prevent amalgamation of the two services on that basis. Beyond the first class of juniors, I should protest most decidedly against any change between either our senior clerks or assistants, and our secretaries of legation. I say that, because the term amalgamation implies that they may be indifferently employed in one or the other service.

344. My question points to this: in the Foreign Office your clerks may rise through various grades to Under Secretaries of State, without looking to be foreign secretaries; so I am suggesting that similar grades of promotion should exist in the diplomatic service, by which the officers there should rise to secretaries of missions without looking ever to be heads of missions?—But surely it comes to much the same thing. An attaché looks to rise to a third secretary, and a third secretary to a second, and a second secretary to a secretary of legation, and a secretary of legation to a secretary of embassy.

345. And a secretary of embassy to be a minister?—Yes.

346. But it is not the fact that the clerks in the Foreign Office look forward to being foreign secretaries?—I cannot say what any man looks forward to. You suggested to me just now that the son of a tradesman might look forward to being Lord Chancellor; and I cannot say that the clerks in the Foreign Office may not look forward to being foreign secretaries.

347. In regard to that circumstance of the

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position of the first secretary of an embassy of legation towards the head of the mission, have you never had complaints at the Foreign Office of the jealousies which have arisen in consequence of the position which the first secretary so holds towards the head of the mission?—I have heard certainly that two men living together have not always agreed. But there is nothing in the official relation between a secretary of legation and the head of a mission that is different from the relation between an Under Secretary of State and the Secretary of State. I am happy to say that I have always got on very well with my Secretaries of State, and I believe that a secretary of legation gets on well as a rule with the head of the mission.

348. Everybody knows the public office which you hold, but in the case of the secretary of legation, he might step into the shoes of his chief, whereas that could not possibly be a matter of ambition to you; you are certainly satisfied, I think, with the very distinguished position you are in without aspiring to be Secretary of State for Foreign Affairs?—If you mean that a secretary of legation might wish to trip up the heels of his chief, I cannot admit the propriety of such a suggestion.

349. I am asking you in reference to the jealousies which have arisen; I was anxious to know whether it had not come under your knowledge that the position which a secretary of legation occupies in relation to his chief has led in some cases to jealousies?—I should be very much surprised if I were made the confidant of those jealousies.

350. I have before me a despatch from Lord Napier to Lord John Russell, which is given in the Report to the Select Committee on Diplomatic Service of 1861; I presume that Lord Napier's authority in this matter will be admitted to be of some weight. At page 395 he says, "The secretary may be an older man than his master; he may be an abler man; he may have filled the same office as chargé d'affaires, and may look to fill it again; he is the predecessor of his chief; he is the heir of his chief; he is not always his chief's friend. By many avenues jealousies may be insinuated between the minister and his secretary"?—The only observation which I have to make upon that is, that Lord Napier is stating the question hypothetically; he does not state what has occurred; he is arguing what might be, not what is.

351. I wish to ask you whether, in your opinion, there might not be great advantage in the two services being amalgamated in the way that I have suggested, in your being able to entrust special duties to clerks of tried efficiency and experience, by sending them to foreign legations when any emergency arose, or by bringing secretaries from abroad when they might be more useful at home?—There is nothing to prevent it now; we have got two of our clerks abroad. I was twice abroad as a clerk myself, and I believe that most of our clerks, of a certain standing, have at one time or other been employed in foreign missions. We do not think of establishing that gradation of rank between them which you suggest. All our servants connected with the Foreign Office, clerks or diplomatists, are liable to have to perform any duties which the Secretary of State, for the benefit of the public, might think proper to impose upon them. For instance, when Lord Russell went to Vienna, the Secretary of State desired me to accompany him; I went cheerfully, though at that time, for a particular reason, it was inconvenient to me to leave England; there was not a word of remonstrance from me, indeed I felt very much honoured and flattered by being selected to go. And so it might be again. It would very much inconvenience me at my age, and with a family, to be obliged to go abroad, but if Lord Clarendon were to say to me, "I wish you to go and assist such an embassy for a time," I should feel it my duty to go, and I should go.

352. But if the two services were thoroughly amalgamated, would it not enable you to give promotion to men of the greatest efficiency in the two services, and so to arrange the members of the services as to relieve to some extent the block which everybody is crying out about?—But I have explained already that I believe that that idea of the block is altogether fallacious.

353. I would just call your attention in reference to the suggestion I have been making to a recommendation of Lord Cowley's. Lord Cowley states that he is an advocate for the complete amalgamation of the Foreign Office with the displomatic service; he says, "the clerks in Her Majesty's Foreign Office would, I conceive, profit as much from an occasional residence abroad as the secretaries and attachés of Her Majesty's foreign missions would gain by an occasional residence in England. If I saw how this system could be extended to the higher branches of the foreign services, I should equally advocate its application. But if the junior branches of the two services are amalgamated, it stands to reason that those who now enter the Foreign Office, with no expectation beyond that of rising to a chief clerkship, will be as eligible as anyone else to a mission abroad. It seems to me that the chief clerks might be assimilated to secretaries of embassy, the second clerks to secretaries of legation, and the junior clerks to attachés, in one or more ranks, as may be deemed most convenient; and when I say assimilated, I mean that there should be a constant change going on between the home and foreign services"?—With due deference to Lord Cowley, I should say that he has never, to my knowledge, worked in the Foreign Office; he may, for aught I know, have done so, but ever since I was in the office I do not remember that he ever worked there. But then I speak from my own position as Under Secretary of State. I cannot consent to sacrifice the interests of the Foreign Office to those of the diplomatic service. It would be absolute ruin to the Foreign Office to encourage or allow our senior clerks, as a general rule, to leave us, in order to go abroad and be exchanged for people who have not had the training which we in the Foreign Office have had. It is indispensably necessary for the Foreign Office, and for every office under the Crown, that the heads of the office (I am not speaking of myself, but of two or three of the upper classes of clerks) should know from personal experience all the duties of the office. They cannot efficiently conduct the duties unless they know the minutest details. And I may be allowed to say to the Committee that my experience as a junior clerk, dating from 1824, constantly serves me in the greatest stead when I wish to arrive at the knowledge of past events in order to guide me at the present time. It was only the other day that a paper came before

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me on which it was necessary to refer to a transaction which took place in the year 1835. My memory enabled me at once to tell where to get the explanation of that transaction, and of course saved a great deal of research. I have been able at once from memory to tell the clerks where to get all the details of that business, otherwise they might have had to search for it through years of correspondence. And what I can do every senior clerk, and I may say almost every assistant clerk who has been long in the office, ought to be able to do, and it is that which makes the services of the senior clerks so valuable. And perhaps I may add, and I hope my colleagues in the Foreign Office will not object to my saying it, that when I first came in as Under Secretary, we had lost, from one cause or other, a great number of our senior clerks and others, who, from standing, might have supplied their place; and the inconvenience was so severely felt of the want of that knowledge which we ought to have derived from that class of officers in the department, that we (I mean Lord Wodehouse and myself) did the very unusual thing of sending a memorandum to the senior clerks, pointing out to them what was expected of them, and enjoining upon them to understand their position, and to make themselves competent to perform the duties of it. Now no secretary of embassy, no secretary of legation, not one person in the diplomatic service, could render to the Foreign Office those services which we expect, and which we must receive from the first and second classes of our clerks. It is all very well for myself, who have been trained in the office, and who knows the office from the beginning, and have a tolerably good memory; but if my successor should be a gentleman unconnected with the office, he would have entirely to depend, at all events at first, upon the senior members of the office for carrying on the very current details of the office.

354. Of course I did not suppose for a moment that there should be constant changes, but that there should be occasional changes in cases of emergency?—Persons so taken from the diplomatic service would be of no use to us at all. Speaking with all respect (and I do feel a great respect) for the secretaries of legation and embassy, I would rather take a junior clerk to have charge of a division than take one of them for the upper work of the Foreign Office. It frequently happens to me (and I am glad to have the opportunity of saying it, as passing a just enconium upon the junior members of the office), from illness or other causes, to be thrown, in important divisions of the office, upon the assistance of quite junior clerks; and I must say for them that they have never failed me, even though they may not have been in the office above a year. I look upon it that a clerk in the Foreign Office, having had training for a year, if he is worth anything, will be a most valuable assistant to an Under Secretary, and of course, through the Under Secretary, to the Secretary of State.

355. Under the present system, an attaché becomes third secretary in four years, and then enters on the paid service, in which promotion is strictly a matter of seniority?—It is practically so, but not strictly so.

356. He commences with a salary of 150 *l.* a year as a third secretary?—Yes.

357. And the six attachés appointed during the last six months will, if all their lives be spared, in the course of four years enter on a salary whether there are vacancies occurring or not?—Yes, that was an arrangement which a Committee of the House of Commons was responsible for perhaps more than the Foreign Office.

358. You said in your former evidence that there was a well founded and reasonable expectation on the part of secretaries of legation to become ministers; surely, looking at the present list, you cannot confirm that statement?—Certainly the expectation is very much blighted at present, but should the Committee recommend anything, though they cannot give them promotion, that will make their pecuniary position rather better; I am sure that they will be very much obliged for it, and I on their behalf shall also be very much obliged.

359. What chance is there of one of the 13 third secretaries becoming a minister?—I am afraid that is beyond my calculation.

360. What are the conditions under which a third secretary becomes a second secretary?—He does not become a second secretary until there is a vacancy in the list.

361. And no second secretary is appointed a secretary of legation unless there is a vacancy in that office?—No.

362. What are the special duties of the third secretaries?—The special duties of the third secretaries are those of a junior clerk in the Foreign Office, to make himself generally useful in the mission.

363. Principally copying, I suppose?—Not being employed in a foreign mission I cannot say; but I wish to disabuse the Committee of an impression which seems to exist, that the junior members of either the Foreign Office or the diplomatic service are necessarily mere copyists. The fact is that they have a great deal of other business to do.

364. With regard to the duties of the secretaries of legation, you gave the Committee important information in respect to an arrangement which was made under which the secretaries of legation were required to present reports in respect to industrial matters affecting foreign countries; that arrangement was made in 1856?—Yes.

365. After 1856, I observe you say that "it was determined to utilize the class of second secretaries, not with a view to their reports being sent home and published as the others, but generally to utilize them for the service of the minister in the same manner as the clerks of the Foreign Office are utilized for the service of the Secretary of State, namely, we recommended to the heads of missions to employ the junior members of the mission in working up subjects upon which the minister himself would eventually have to report to the Secretary of State." Now upon that answer it occurs to me to ask, were these second secretaries not utilized before 1856?—They were doubtless utilized; but we recommended a particular course of utilization on account of the training that it would ensure. The original object of the reports of the secretaries of legation was not so much to give general information to the country at large, for that was an after-thought, but to give them habits of application to studies which they might turn to good account, if they advanced to proficiency in them, when they became ministers. And, just in the same manner we recommended to our ministers to give that instruction to the junior members of the missions. We did not know whether they

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employed them in that manner or not; but it was the duty of the Secretary of State, wishing to improve the service generally, to point out to the minister generally one way in which their services might be utilized. We adopted, with that view, the practice in our own Foreign Office.

366. But would it not be the practice of the minister before 1856, or the year to which you allude, to make use of the second secretaries to work up subjects?—I dare say that it might have been, but there could be no objection to the Secretary of State specially calling attention to the point.

367. It is spoken of in your evidence as a new thing?—I was only speaking of it as an extension of the practice as regards secretaries of legation. I presume that in all times a minister might, if he had seen proper, without waiting for a circular despatch from the Foreign Office, have called upon a secretary or attaché to work up any subject, and I have no doubt that he did so; but that did not render it unnecessary for the Secretary of State, anxious for the general improvement of all the members of the diplomatic service, to point out to the heads of missions that particular mode of utilizing them.

368. Then there was no special ground for the recommendation?—No special ground, but merely the general exercise of what I hope you will consider a proper supervision by the Secretary of State, who was anxious to do his best to educate the junior members of the service.

369. Do these reports of the secretaries of legation come through the heads of missions?—I believe they always do; they do not now come into my hands, from the change in the distribution of the business of the office, but I believe they always do come, and they ought to come, through the heads of missions, who merely forward them.

370. Do you think that it is the practice of the heads of missions to look over and to take the superintendence of the reports of secretaries of legations?—I cannot give an opinion upon the practice, but I naturally suppose that the head of a mission having a report to forward upon the country in which he resides, would not pass on that report without looking at it.

371. But do you believe that they do present it through the heads of missions, and do not send it direct to the Foreign Office?—We have no correspondence with any person connected with a foreign mission, except the head of the mission.

372. I will point out to you the object of my question. In reference to the reports of the secretaries of legations, you were asked, last Monday, whether the second secretaries were not employed in collecting the information for the purpose of those reports; and your reply was, "No; they would very likely assist the secretary of legation, but it is not a part of the duty officially ascribed to him. The second officer of legation would very likely employ a man to assist him, but it would be just a matter of private friendship; I should not consider that it was a duty obligatory upon the second secretary to collect materials for the first secretary"?—My corrected answer to that question is this: "No; they would very likely assist the secretary of legation, but it is not a part of the duty officially prescribed to them; it would be just a matter of private friendship. I should not consider that it was a duty obligatory upon the second secretary to collect materials for the secretary of legation."

373. The question that I wish to ask you upon that is, do you not consider that if these reports are sent through the head of the mission, it ought to be obligatory on the second secretary to assist in getting the information necessary?—No, because the object was that the report should be the report of the secretary of legation, derived from his own observation; if another man gets all the information, he makes that man's report, whose report then it is not. Now, we wished that the secretary of legation should make his own report; but there could be no objection to a secretary of legation saying to his friends sitting beside him, "I want to get this informatian, will you help me in getting it?" But the information has to be worked up by the secretary of legation.

374. But getting the secretary's report is one object; the information of the public at home is another object?—Certainly.

375. Is it not desirable that that information for the public at home should be obtained in as general and as efficient a manner as possible?—And I apprehend that the secretary of legation does obtain it in the most efficient manner.

376. Would it not seem likely that if the second secretary assisted the first secretary it would be still better done?—It would cease then to be the report of the secretary of legation.

377. The public however would have better information?—I do not say it would.

378. Do you not think that it would be an advantage to the public service if promotion depended upon the character, ability, and attention to duties of the secretaries of legation?—I apprehend it does.

379. I am very much mistaken if I did not gather from you that the promotion of attachés through the ranks of third secretaries, second secretaries, and up to secretaries of legation, was a matter practically of seniority?—Yes; but my answer meant that if a man was decidedly superior to others it would still be in the option of the Secretary of State to promote him over the heads of the others.

380. I think I rightly understood you to say that a third secretary never became a second secretary until there was a vacancy in the list of second secretaries, and that a second secretary never became a secretary of legation until there was a vacancy in the list of secretaries of legation?—But you did not understand me to say that an attaché, who was unworthy of being promoted to be a second secretary, would still be promoted to that position.

381. But in reference to the general ordinary character of people in the service, the practice is that there is no promotion dependent upon extraordinary merit through those grades?—The other day we did promote a man, or rather confer an appointment upon a man in consequence of the extraordinary merit which he had shown.

382. Was that an appointment to a higher grade over seniors?—No; it was one of our own clerks, who was made *per saltum*, a second secretary.

383. I am anxious to keep to the point of the promotion of attachés and second and third secretaries, and I think I gathered from your reply that, practically, promotion is a matter entirely of seniority, and not dependent upon especial merit on the part of the second and third secretaries?—

All I can say is, that if the ability of a man were so marked that it would justify the Secretary of State in promoting him over the heads of those above him, he might so promote him, and there is nothing to prevent his so promoting him; but the question rather implies, I think, disparagement of the members of our diplomatic service; probably it may not be so intended, but practically it really does imply it; I do not like answering such questions, for I tell you fairly, I will not admit that any person in our diplomatic service is undeserving of consideration.

384. Am I to understand, then, that you do not think it would be an advantage to the public service if promotion depended upon the character, ability, and attention to duties of the secretaries of legation?—I say it does depend upon those things to a certain extent. If a man were not deserving of promotion, he would not receive it.

385. But practically they are promoted according to seniority?—They deserve it in those cases.

386. You stated on Monday last that you objected to Ministers abroad having to report upon the conduct and character of secretaries; but do not you think that they can judge of men constantly under their own eyes better than you can do hundreds of miles away?—The reason I gave for my objection was that I think that the practice of surveillance implied by those confidential reports would be destructive of the harmony of every mission. Of course it would be the duty of a minister abroad to call attention to any serious irregularity that was taking place, or any systematic want of attention, and of course due heed would be given to what he said, and in fact I have known myself that changes have been influenced by circumstances of that kind; but as a general rule nothing would be so destructive to the peace and goodwill which ought to prevail in a mission as the apprehension or the idea that things prejudicial to an attaché might be said behind his back.

387. You said, speaking of the Foreign Office, "We have the means of taking the measure of foreign secretaries," but are not those means necessarily limited?—No, almost all our people know each other, and if any person went decidedly wrong, we could hardly fail to hear it. In my own case, since I was Under Secretary, circumstances have been mentioned to me respecting persons employed abroad, indeed twice that has happened to me, and on both those occasions I gave a friendly hint that such things had better be put an end to. It is much better that supervision and control should be exercised in that manner than by any formal and confidential reports on the part of the heads of missions. The information in the cases I allude to was given to me unasked for, and was not sought for by me. I never wish to hear those things myself, because I know how destructive it is to the good of any service that those little stories should be circulated and attended to.

388. But does not your answer amount to this, that the means you have of taking the measure of foreign secretaries are such that you are obliged to trust reports brought to you casually?—Observations may be made by travellers as to what is going on in missions.

389. Is that a desirable mode of forming an opinion of the character, acquirements, and ability of secretaries abroad, to take talk from travellers?—I think it is a very good test, and you acquire a much better knowledge of the character of a man from the incidental habits of his life, than you would derive from any formal reports. It is a very difficult thing for a minister to write a report on a man's character. After all, it comes very much to what happens in my own case. It is my duty, of course, to the Secretary of State, and to the public service, when a case of promotion in the office is before us, to consider whether the person who ought to be promoted is deserving of it. It is at times one of the most disagreeable and most anxious duties that any man can be called upon to perform; and it has been my very painful duty, several times, to have to state to the Secretary of State that, for the reasons which I have given him, I thought that the promotion should either be deferred, or be stopped altogether. And I speak, too, from personal knowledge of the matter; for I never felt more pained in my life than when it happened to another clerk in the Foreign Office and myself, many years ago, to be promoted over the heads of seniors in our office. I did what I could to prevent it happening in my own case; I was overruled, and I was promoted; but it was a very sad and painful history.

390. But do not you think that it adds very much to the efficiency of the service in the Foreign Office, that the clerks depend upon the good opinion of their superiors, under whose eyes they are working for advancement, instead of upon the decision of people elsewhere?—There is no question in the case of decision elsewhere. Of course the efficiency of men in the Foreign Office I am able to judge of, because I am in constant intercourse with them But I may also say, that I never, in those cases, act upon my own opinion alone; I prefer to distrust, in a matter of that kind, my own opinion; my colleague knows, as a matter of course, everything of the kind, and I generally ask an opinion as to the ability of a man from those engaged in the current business of the office with him.

391. Your objection to allowing the heads of missions to have a similar power over their subordinates is, that you think that there would be a suspicion of favouritism?—No; the reason why I object to it is, that those confidential reports of the character of the men would be very prejudicial to the harmony of a mission. But I think, also, that if the head of a mission knew that a member of the mission was, either from his character or from his attainments, inefficient or unsatisfactory for public service, it would be his duty to mention it to the Secretary of State.

392. But do you think that there would be any more likelihood of suspicion of favouritism in an action of that kind on the part of a minister abroad, than there is in any action on your own part, or on the part of any other head of a department at home?—I cannot speak to what would happen, in that respect, as regards a minister abroad; that is a question upon which I can give no opinion.

393. Would it not be likely, at all events, to promote due subordination and industry, on the part of secretaries, if they looked up to the ministers as having a voice in their promotion?—That, again, is a question upon which I can give no opinion. I do not think that any members of the missions require that incentive to do their duty properly.

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394. I will just refer again to Lord Cowley's letter to which I have already called your attention; he states this: "If it were possible to introduce any system by which the junior members would feel that their promotion depended to a certain extent on their performing their duties to the satisfaction of their chief, an authority, which is sometimes wanted, would be placed in the hands of the latter; for instance, were a chief obliged by his instructions to furnish a half-yearly report to the Foreign Office as to his satisfaction with his subordinates, it is obvious that a hint from him when necessary respecting any irregularity or carelessness he may remark, would carry greater weight with it than when, as now, the only remedy is in a spontaneous complaint to the Secretary of State, for the penalty would be certain were the warning to be neglected; nor would there be any danger of an abuse of this half-yearly report, since any party considering himself wronged by it would have an appeal to your Lordship's office. On the other hand, some certainty should exist that favourable reports would ensure, under ordinary circumstances, promotion according to seniority." I gather you do not agree with that?—That is Lord Cowley's opinion; I do not agree with it, and I cannot endorse it.

395. Have not the Foreign Office had complaints from Ministers abroad of want of control over their subordinates?—As far as I remember, complaint has come before me, that in some places our attachés did not go enough into society to make themselves of that use to the mission of which they might be otherwise; but speaking generally, I should say that I have had no complaint of want of control; but my experience of the office is a long one, and it is very hard to say positively that the thing might not have happened once or twice in the course of 40 years.

396. There is in the Report of the Committee of 1861, a letter from Lord Lyons to Lord John Russell in reply to the circular issued in 1860, which alludes to this question: he says, "A chief in the British diplomatic service has very small means of enforcing discipline. A sense of duty and propriety, and I may add, gentlemanlike habits and manners, appear generally to suffice to make the subordinates respectful to their chief, and to induce them to give a fair share of their time and attention to their official duties. In a gross case of insubordination, misconduct, or negligence, the chief would, I suppose, have the resource of reporting the offender to the Secretary of State. But unless such a report drew down upon the culprit some very severe mark of displeasure, its effect would be to increase rather than diminish insubordination. His being merely removed to another post might be a reward rather than a punishment. If such were supposed to be the only probable result, a complaint to the Foreign Office would be a most ineffectual weapon in the hands of the chief so unlucky as to be stationed at a post not regarded as a pleasant residence. Probably the most effectual means of giving a more thorough control over the attachés would be to make their promotion in a greater degree dependent upon the approval or disapproval of their chiefs. Custom has, I think, rendered the control of the chiefs over the secretaries much less than would be necessary if the secretaries were more regularly employed in the daily work of the Legation?"—Half of that is speculation; but it is to be noted that Lord Lyons begins by stating what neutralises everything else that he says afterwards. He says, "That as a general rule they all behave very well," and then he goes on to speculate upon what should be done in case they behaved badly, and what corrective should be applied to that.

397. The gist of the matter is, that he complains of the existence of insubordination?—No; I do not think that he goes to the extent of complaining of the existence of insubordination; he only speculates upon what would be done in cases of insubordination. Of course, if a man is insubordinate, there is the remedy which he states; he could report him to the Secretary of State.

398. Then your impression is, that Lord Lyons in sending this report to Lord Russell, was recommending a remedy for entirely problematical evils which had not come under his notice?—I certainly think so. He and all other ambassadors may write opinions and speculate upon what they should do if things were otherwise than they are.

399. I may fairly ask you whether Lord Lyons, having been an ambassador, and having had great experience as the head of missions, may not be considered by the Committee a very proper authority to rely upon in the question of what is necessary to secure the due efficiency of the service?—Of course I have no right to give an opinion as to what the Committee should consider a proper authority.

400. Has it not come under the knowledge of the Foreign Office, that there have frequently been disputes between the heads of missions and subordinates?—One may have heard of it as one hears of thousands of things, but if the case were to come before us of a dispute between the head of a mission and a subordinate, it would be of course judged and dealt with by the Secretary of State for the time being; and even if I could do so, I should not think it quite right to rip up old sores, and enter into painful details for very little practical object; you can hardly judge of what has happened in former times, without having before you all the circumstances connected with the case.

401. But the efficiency of a mission must necessarily depend upon the subordination of the members to the chief; and I must, therefore, renew these questions to elicit from you whether it is not a fact that the present system is not sufficient to secure that subordination?—I suppose that few people can judge better of the efficiency of a mission than those whose duty it is to control it, who are the Secretary of State and the Under Secretaries of State for Foreign Affairs; we can tell very well if the business of a mission is conducted properly or not.

402. Was it not notorious that when Lord Stratford de Redcliffe was at Constantinople, there were considerable misunderstandings in that mission?—I decline to answer any questions on that subject.

403. I will now take you to a question with regard to the changes which occur in the second and third secretaries, from one post to another. Mr. Stanley asked you this question on Monday last: "Transfers have been made very much more of late years; that is to say, persons who have been secretaries of legation, and so on, have been transferred from one place to another, much more often than was formerly the case; is not that so?"

o?"—I cannot exactly tell how Mr. Stanley put his question, but my answer to that question was, "They" (meaning secretaries of legation) "have only been transferred as vacancies have arisen." The next question is, "It has not become the practice of the office to transfer the junior members of legation more than was formerly the custom?" To which I answered, "The Committee of 1861 were of opinion that a junior should not remain more than two years at a place, and so far as I understand, that seems now to be the general rule."

404. I understand in your reply to the question which the honourable Member put to you, you imply that there has not been an increased practice of changing the junior members of the legation from one post to another since the Report of the Committee of 1861?—No, quite the reverse.

405. Then there has been an increase in the practice?—There was no rule laid down before 1861; there has been a rule laid down since 1861, that the junior members should, as a general rule, be transferred after two years.

406. But I am now referring to the practice; was the practice of transference before 1861 as frequent as it has been since 1861, since which time there has been a rule of the service that it should take place after two years?—I am unable to answer that.

407. The travelling expenses of these junior secretaries of legation are paid by the country, are they not?—They are now paid by the country.

408. Is there not a disadvantage in the constant change of junior members every two years from one legation to another?—I perfectly agree in the opinion of the Committee of 1861 that it is advantageous that it should take place.

409. Every two years?—Every two years, or thereabouts.

410. Does not your argument in favour of the change arise from the present constitution of the service, and would it not be removed, supposing the practice was that secretaries of legation were appointed to certain missions, and were expected to serve the public at those missions?—Certainly; but secretaries of legation are appointed to missions with that expectation.

411. Do not you exchange secretaries of legations every two years?—No; second secretaries are liable to be exchanged every two years.

412. I am speaking of the juniors, the second and third secretaries of legation. Supposing that they were appointed to certain missions, and were expected to remain there in the public service, so as to become fully acquainted with the duties of that mission, then you would not see any advantage in their being removed every two years up and down the world, would you?—I think that it would be very disadvantageous to the general interest of the diplomatic service to confine men to a particular place. It is a great object that they should move about in the different courts and different countries, where they enlarge their minds, extend their sphere of observation, and qualify themselves by general knowledge for the proper discharge of any duties that may be imposed upon them. There is nothing worse, I should say, for a young man than to remain stationary at any one particular mission. If he is to take a general view (as we trust our diplomatists do take a general view) of European politics, it is much better that he should practically be acquainted with the policy of the different courts by residing at them, than that he should have his view limited to one narrow sphere in which he has been brought up all his official life.

413. But is it not practically of great importance that the members of the legation should be well acquainted with the circumstances of the country in which their mission is placed?—The change is never such as to apply to a whole mission at once; the change is only partial in a mission. If you had two second secretaries at a mission you would not move them both at the same time, in all probability. The same would, as a general rule, hold good as to a minister remaining stationary always at the same place. The objection to a minister always remaining in the same place is that he is liable to become a partisan of the Government, and that very much detracts from his general utility.

414. You are aware that there was evidence given by Lord Cowley before the Diplomatic Committee in 1861 to the effect that, in consequence of the changes which had taken place in the members of the legation, when anything of an extraordinary character arose, he could not get the information that he required?—Yes; but you will allow me to say that you cannot reason from the embassy at Paris to every other embassy. The embassy at Paris, from the mass of the correspondence carried on, resembles the Foreign Office pretty closely. As a general rule, the embassy at Paris has copies of every official paper of any consequence which comes into the Foreign Office, and therefore there is a great mass of correspondence there; and it is very desirable, in fact it is necessary, that there should be a librarian there, and, of course, it is part of the duty of the librarian there, as it is part of the duty of the librarian in our office, to supply information upon events which have long since past by. For the purposes of this Committee I have been obliged to tax our librarian to work up information for me, which has gone many, many years back. And so it is at Paris; whereas with a comparatively small amount of correspondence a minister, or those attached to him, can get at any matter very easily. With a very large embassy like Paris, it is, of course, very desirable to have a person who has the same knowledge of the correspondence of that chancery as our librarian has in the Foreign Office; in a smaller mission, where the register covers a smaller number of papers, you can very easily run it through.

415. I may say that the questions which I have troubled you with have been very much directed to the line suggested by Lord Stanley (now Lord Derby) in 1853 in the House of Commons, and I will just state his opinion in relation to the diplomatic service, and ask your opinion as to that. Lord Stanley said, "He believed the whole system by which diplomacy was made an exclusive service might safely be abolished, and that a system analogous to that adopted in the public offices at home might be established. His belief was that the knowledge which the training was supposed to confer on the superior diplomatic servants with regard to the details of diplomatic business might be easily supplied by attaching to the missions abroad persons who should act in the same capacity as the clerks of our public offices at home, who should be previously trained to the service, and whose duty it should be to furnish

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all the necessary professional knowledge which such superior diplomatic ministers might require, and of which, coming new to the business, they must necessarily be deficient. By having such a body of men to render that assistance, the door of the diplomatic service might be thrown open, and they might then appoint any public officer to the higher ranks of diplomacy whose merits and general acquirements in other respects might entitle him to the appointment;" you do not agree with that?—Considering that the present Lord Derby was my chief for two or three years, and that he is available to be examined by the Committee, I would rather that you would ascertain from him whether he still entertains that view than give my opinion upon it. It would be very unbecoming in me in the relation in which I stood to Lord Derby, to comment in any way on his opinion; and Lord Derby will be able, I have no doubt, if called before the Committee, to explain to them the reasons why, 13 years having passed from the time that he gave that opinion, when he became Secretary of State, he did not give effect to it. A person may very easily give an abstract opinion; when he comes to put it into practice, it is quite a different thing.

416. I have now to ask you, in reference to first and second class missions, and I wish to know, in appointments to missions, what is the general rule observed by the Foreign Office; is the Senior First Secretary ordinarily appointed?—I do not feel that I can answer that question. The appointment to missions is the exclusive province of the Secretary of State; and I do not feel that it would be seemly in me to go into the question how he exercises his judgment in those matters. I cannot answer any question as to the motive which would lead to a Secretary of State appointing any particular man; it would be very unbecoming if I did.

417. According to the Return which was presented at the opening of the Session, several second-class missions were raised to first-class missions in October 1862; can you give the Committee any reason for that change?—It was done by the direction of the Secretary of State.

418. It is entirely in the hands of the Secretary of State?—Yes, it was so at that time.

419. And it carries an advance of pension from 900 *l.* to 1,300 *l.* a year?—Yes.

420. Can the Foreign Secretary, at his discretion, reduce these first-class missions again to second-class missions?—Certainly before the last Act of Parliament (32 & 33 Vict. c. 43) was passed he could have done so; I cannot quite remember now how the Act of Parliament bears upon that particular question of reduction. It certainly bears upon the elevation, but whether it bears upon the reduction, I cannot remember. Taking the question as applying antecedently to the Act of Parliament of last Session, the Secretary of State, in the same way that he had made a second-class mission into a first-class mission, might, if he had seen occasion, have reduced it again to a second class.

421. Three first-class missions have been raised into embassies since 1861, Russia, Prussia, and Austria; can you give any reasons to justify that change?—I think that I can give the Committee very sufficient reasons for it; I expected the question to be asked of me, and therefore I took the liberty of putting down on paper, as I did the other day, the answer I wished to give in the first instance, subject, of course, to any questions. The advantage of the privilege that an ambassador enjoys of direct access to the sovereign, is too valuable to be lightly renounced. I have known it on various occasions successfully resorted to for the settlement of questions which threatened to lead to serious consequences. We must not assume that similar questions may not arise hereafter. For the convenience of this Committee I have had a list made of the principal political events during the last 30 years, all more or less such as to cause anxiety: I will put it in. The French Minister for Foreign Affairs said, not long ago, in the Chamber, with great truth, "This conflagration which is called war, has within the last ten years been burning in the United States, in Germany, in Italy, in Spain, and we all know that fires even when most nearly extinguished, leave smouldering traces and smoking ruins which a spark may kindle again into a flame." But no complications can arise among foreign nations which do not more or less affect English interests. Our material and industrial interests require that foreign markets should not be closed against us as they might be, if such complications were not timely dealt with. Our trade alone with foreign countries, not to mention the colonial trade with them, amounts to about 500,000,000 *l.* a year, and the tonnage of our shipping, entered and cleared, engaged in it, amounts to above 22,000,000 tons. It would therefore be a short-sighted and unwise economy to deprive ourselves by the suppression of our embassies at the great courts, of the means which their maintenance provides for exerting in the interest of peace a salutary influence in the politics of Europe. There never was a time when that influence was more appreciated or more sought after; but even if it might be said, that in that respect a diplomatic agent with the rank of a minister, could do the work as well as an ambassador, and that for the sake of economy the privilege of direct audience of a foreign sovereign might be waved for all our representatives, yet at courts where other great powers maintain ambassadors, Great Britain, if she were to reduce her embassies to missions, would voluntarily accept a lower place, and would be treated accordingly. But if it were also said, that the policy of his Government and not his diplomatic status, is what gives weight to a diplomatic agent,—while the same argument might be used in support of merely maintaining at a foreign court a chargé d'affaires, or even a consul general,—the fact is that the inconvenience of the British representative being of a low rank was recently so severely felt at Paris, that we were actually obliged to give the rank of minister to the secretary of embassy while acting in charge of the embassy during the absence of the ambassador, instead of that of chargé d'affaires, which he had previously held at the French court. As regards the expenditure for the diplomatic service of this country, I desire to point out to the Committee that since the year 1843, when the salaries and allowances and pensions of the diplomatic body as then maintained, were first brought within the limit declared by the Act of Parliament of 1832 to be sufficient for them, namely, 180,000 *l.* a year, the expenditure on those accounts has never been exceeded, but has, on the contrary, generally fallen considerably short of the appointed sum; though in the period that has elapsed since the year 1843, namely, 26 years, the expenditure for every other

ther branch of the public service has enormously ncreased; and the successive Secretaries of State or Foreign Affairs, so far from being justly bnoxious to the charge of extravagance for iplomatic expenditure which has been imputed o them, have a right to claim credit for having o administered the fund entrusted by Parliament o the Crown in order to provide for it, as to have net the charge without exceeding the allotted provision, notwithstanding the great increase in he cost of living abroad, amounting, as the Committee will see, on examining the volume that I have laid before them, in some instances to 25, 50, or even considerably more per cent., as stated by unbiassed and independent testimony, which has taken place during the period, and which has rendered it impossible in most, if not in all cases, for our diplomatic servants of whatever rank to provide for their current and necessary expenditure without largely drawing on their private means.

422. I gather from your statement that practically, so far as the difference between the position of an ambassador and a minister is concerned, the right to demand an audience of the Sovereign is enjoyed by the ambassador, while the minister can only ask it as a favour?—He has no right to it.

423. But practically, I suppose a minister finds no difficulty in obtaining an audience from the Sovereign if he wishes it?—That I cannot say; but I may be allowed to say that there might be times when a Sovereign would rather avoid a personal interview with a foreign minister, and those being critical times, he might evade that as regards a minister, but he could not evade it as regards an ambassador.

424. But in countries where there is a responsible ministry, is it not the custom, and on the whole desirable for the communication of the ambassador or minister to be made to the Secretary for Foreign Affairs, or other members of the Government?—It is customary, and of course preferable, but critical emergencies may arise upon which the fate of nations may depend, and in those emergencies a direct appeal to the Sovereign may avert calamities as to which no person could say to what extent they would proceed.

425. Do you believe that the interests of this country abroad have suffered in any case in consequence of our having a minister instead of an ambassador?—I cannot answer the question you have put, but I can answer the converse of the question, and say that I not only believe, but know that the interests of the country have been materially advanced by having an ambassador.

426. Are you aware that the United States have no ambassador?—I am perfectly aware of that.

427. Do you suppose that their diplomatic action suffers in consequence?—The diplomatic action of the United States in Europe is quite a different thing from our own. Events may occur in Europe which may imperil our position in every way (I will not say to what extent, but I will leave the Committee to imagine to what extent), but may not affect the United States of America. As I pointed out the other day, when the interests of the United States are concerned, they do not hesitate to go even to greater expense than ourselves in providing for their diplomatic body.

428. The United States have important interests occasionally pending between themselves and European courts, have they not?—They have important interests, but not of that character which is involved in the political relations of European nations between themselves.

429. But have they not very important interests in which the people of America generally, and the government of America are deeply involved?—I presume they have.

430. For instance, in the case of the unfortunate differences that have arisen between America and this country, you would, I presume, assume that the diplomatic action in those cases was as important as it could be in any similar cases occurring between two European nations?—The answer to that is, that we certainly have very important questions pending between ourselves and the United States; but in this country the direct influence of the Sovereign upon foreign politics is not of the same nature as it is abroad; and no ambassador within my memory has seen occasion to appeal directly to the Sovereign as against the Government, in order to influence the decisions of this country in regard to political matters.

431. But I gather that at all events you do not consider that the diplomatic action of the United States suffers in consequenece of their not having ambassadors?—It may not suffer, because the questions that they have to treat diplomatically are quite of a different character from question treated between European courts and ourselves. The questions which the United States have to treat on with foreign governments are direct questions between themselves and the foreign governments. Now the questions to which I alluded were not so much or so necessarily merely direct questions between England and one Continental power; but the influence which might be brought to bear by England upon one Continental power might be directed to influence the relations of that power with another foreign country. There is a wide distinction between the United States dealing with one power for their own interest, and England, or France, or Russia, or Prussia, or Austria, dealing for common interest with different powers of Europe.

432. It is the difference between what is called the principle of intervention and the principle of non-intervention in foreign diplomacy, is it not?—No, I do not call it intervention. A word spoken in good season does not come within the common definition of intervention. When we use the word intervention, we mean something going beyond a word in good season.

433. Is it not the fact, that the main considerations affecting this question of nominal rank have reference to the precedence conferred by it in foreign courts?—Not to precedence, but to the power of obtaining access to the sovereign in foreign courts.

434. But is not precedence affected by mere title without reference to the relative importance of the duties performed by the members of the legations?—Of course an ambassador will walk out before a minister, according to the rules laid down at the Congress of Vienna.

435. And so far as precedence is concerned, it would be secured simply by changing the title of minister to that of ambassador?—Precedence would be, but the mere walking before another is nothing but child's play.

436. But it would be secured by merely chang-

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ing the title?—I should hope that at this present day no person in this country ever troubles himself about precedence.

437. I am afraid that I could show you, in documents connected with the foreign service, that the matter of precedence has sometimes been treated as important?—I believe there is a tradition that many years ago there was a fight in Parliament-street between two ambassadors and their respective suites, which arose out of a question of precedence.

438. Is there not in this book with which you have furnished us a careful account of the questions of precedence?—That has all been settled by the Vienna Protocol; but it is a very immaterial thing whether a man walks out before another or not.

439. It is considered material abroad, is it not?—Not in political relations. The rule of the Congress of Vienna, to which you allude, was made to settle the question of one man walking before another, and to prevent the occurrence of distressing events like these I have alluded to, such as two ambassadors entering into personal conflict in the streets.

440. I am very glad to hear (for I suppose I must take your answer to mean) that you do not think that the mere matter of precedence as between ministers and ambassadors is a matter of any importance in foreign courts?—The mere matter of precedence is not of any importance; but if you mean to deduce from that that the ambassadorial rank, which carries with it precedence, is unimportant, I differ from you.

441. I do not deduce anything except the fact, that the mere kind of precedence arising from a particular title is not a matter of any importance in your judgment?—It is one of those things which seems to me so thoroughly insignificant, that I have never troubled myself to think about it.

442. But, unfortunately, though the duties of an ambassador and minister are practically the same, their salaries are different?—There is a difference in that respect, certainly; and that, perhaps, depends upon the circumstance that the style of living in a court where ambassadors are maintained, is more expensive than at others; for instance, at Paris the style of living is very expensive, more expensive than in Switzerland. With regard to the capitals of Russia and Prussia, and Austria, as between them and Paris, I believe there is competition, I do not mean of ambassadorial, but of local extravagance.

443. But the fact is, that when Russia, which was formerly an embassy, was reduced to a mission, the salary of the minister was reduced, and when it was raised again to an embassy, the salary of the ambassador was raised from that which the minister had enjoyed?—Yes.

444. The fact is that, practically, when there is a change from minister to ambassador, there is a change of salary?—Yes, the salary is increased, but not without some equivalent advantage to the country represented, the equivalent advantage being much more valuable than the difference of the salary, 2,000*l.* or 3,000*l.* a year, or whatever it may be; because by increasing the rank of your minister you gain power of access to an autocratic Sovereign, whose dictum is much more valuable to us in the councils and policy of his country than the sum which we pay to secure means of access to his person.

445. But that would not apply to a constitutional Sovereign?—Do not put upon me to define constitutional Sovereigns, because I should have very great difficulty, and probably the Committee would have very great difficulty, in bracketing, with a view to any such definition, European Sovereigns, or any Sovereigns, with Her Majesty.

446. I must again trouble you on this question. I understood you to say that the mere title of an ambassador in place of a minister would give a man a right to communicate personally with the despotic Sovereign to whom you are alluding?—Yes.

447. That right in no way depends upon the amount of salary attached to the office of ambassador being higher than that attached to the office of minister?—No; only if you give a man a higher position at court, it naturally carries with it higher expenditure. An ambassador must live in a court on the footing of those who are the principal people at the court.

448. He must live in greater style than a minister plenipotentiary, must he?—I should think he must. That is the principle by which all diplomatic salaries, not only in our own country, but in other countries, are regulated. I have not looked at the question with that view, but I very much doubt whether you would not find that in all other countries the salaries given by them to their ambassadors are much higher in proportion than they would give to their first-class ministers.

449. You stated in your examination the other day that ambassadors had greater expenses than ministers; that tradesmen, for instance, charge an ambassador more than a minister?—I do say that; and I may say that when on that day I left this Committee and got to my own office, a foreign minister at this court called upon me, and I described to him what I had stated to the Committee, namely, that a foreign diplomatist was always charged more than a residential inhabitant of the place; and his answer was instantly, "Yes, 25 per cent. more." And then I went on with the further question, "Do you think that the English minister is charged more than his colleagues?" and his reply was, "I do." He named to me several courts at which he had resided as minister, having been long a diplomatist, and he said that unquestionably the diplomatic body was charged at least 25 per cent more than others, and that an English diplomatist was charged more than his colleagues, because it was considered that an Englishman must necessarily be rolling in wealth. I put the same question to two other foreign ministers; and without going into the exact proportion, the answer was the same, that, as a general rule, a diplomatist in a foreign country would be charged more than ordinary persons.

450. That is not the point that I am addressing my examination to; we are now making inquiries, first of all, as to the advantage of having an ambassador in place of a minister plenipotentiary; and secondly, as to the necessity of paying an ambassador more than a minister plenipotentiary; and you, as I understood, stated as a reason for paying ambassadors more than ministers plenipotentiary, that ambassadors were charged by tradesmen more than ministers were charged?—I meant that the diplomatic body generally were charged more than others.

451. Then, in point of fact, the circumstance that a man is called an ambassador is no reason why he should have a higher salary than if he is called

called a minister?—No; but in all probability a tradesman would estimate the wealth of his customer by the rank that he held.

452. I will put it in this way; do you suppose, for instance, that Lord Lyons, living at the embassy at Paris as minister plenipotentiary, would necessarily have less expenses than he would have as ambassador there?— That is a question that I cannot possibly answer, and I feel less competent to do so, because I know a man who, as an attaché, spent, I believe, very nearly as much as a person at the head of a minor mission.

453. Leaving out of consideration the question whether the rank of an ambassador leads directly to expenditure, do you not consider that the salaries attached to our principal missions are too high?—They are perfectly inadequate, and that was the opinion of the Committee in 1861. You will remember the recommendation which that Committee made, that the Secretary of State should revise the salaries of the greater missions with a view to considering whether they were adequate to meet the greatly increased expenditure of living at the principal European capitals.

454. In consequence of the increased charges of living?—Yes. If you take the charges of living as they were in 1851, and compare them with what they are now, you will find that, in the great majority of cases, the maximum of 1851 increased by the per-centage of increase which all prices on the Continent have undergone, fall very little short of our present rates of salaries. I believe that none of our ministers can live upon what they receive from the public. And it has has come to my knowledge to-day, that even in the United States great difficulty is found now in obtaining proper persons for foreign missions, from the inadequacy of the salaries which they would receive; and two representatives of the United States were named to me as having been recently obliged to throw up their missions because they could not live upon the salaries assigned to them. In one of those cases I believe the salary was higher than the salary assigned to our representative at the same place.

455. I am referring in my present questions to principal missions. I take it for granted that no salary of any minister from America comes up at all in amount to the salaries paid to our ambassadors in our principal European missions?—No; but I took out the other day, in anticipation of a question of that kind, a comparison between the salaries of American Secretaries of State and American heads of mission, which has a little bearing upon the question, because it was stated in Parliament (I think by yourself) that our ambassador at Paris had twice the salary of our Secretary of State for Foreign Affairs. Now, on that subject I may say that the salary of the Secretary of State for the United States (whose duties, I need not tell you, are far more comprehensive than those of our Secretary of State for Foreign Affairs, because he is the only Secretary of State in the United States) is 8,000 dollars a-year, representing a sterling sum of 1,643 *l.* The salaries of their two first-class missions (they only have two, namely, Paris and London), are each 17,500 dollars, representing the sum of 3,591 *l.*; being more than double the salary enjoyed by the Secretary of State of the United States. I dare say that our ambassador at Paris would not object to accept that relative proportion between his salary and the salary of the Secretary of State in England. I am perfectly certain that the ambassadors at Vienna, Berlin, and at Petersburg, would accept it very gladly. Then of 10 second-class missions of the United States, the salary is 12,000 dollars a year each, representing 2,464 *l.*, which is one-third more than the salary of the Secretary of State in the United States. Perhaps our second-class missions would be very glad to receive the same proportion; it would give them, perhaps, a couple of thousand pounds more than they have at present. Then the salary of the 22 third-class missions of the United States is 7,500 dollars, that is 1,540 *l.*; only 100 *l.* a year short of that of the Secretary of State.

456. That is merely a comparison as between the salaries of ministers and Secretaries of State?—I am stating these facts in regard to what you said in the House the other day, and I think I may fairly mention them in reply.

457. The fact still remains, that the salary of the minister of the United States in Paris is less than one-third of the salary paid to our ambassador?—Yes, it certainly is, and the American diplomatists complain most bitterly of the inadequacy of the salaries assigned to them. Moreover, the American diplomatists, certainly without any impeachment of their hospitality, do not live on the footing in foreign countries on which English diplomatists and the diplomatists of other foreign countries are expected to live. I have always heard it said that it is a very painful position in which an American minister is placed in a foreign country, that while he is always well received wherever he may go, unless he has large private means of his own, he can make no return for the civility and attention shown him; and that is, I must say, a most humiliating position for a person holding the rank and moving in the station of a minister of the United States, and I believe that it is felt very severely. I wish, before the Committee adjourn, to state that I am here by the direction of the Secretary of State to give every possible information, and to express his desire that the Committee should sift the subject to the bottom. There is not a single thing which we wish to conceal.

Thursday, 17th March 1870.

MEMBERS PRESENT:

Mr. Baring.	Mr. Kinnaird.
Viscount Barrington.	Mr. W. Lowther.
Mr. Bouverie.	Mr. Otway.
Mr. Butler-Johnstone.	Mr. Rylands.
Mr. W. Cartwright.	Mr. Arthur Russell.
Sir Charles W. Dilke.	Viscount Sandon.
Mr. Eastwick.	Mr. Sclater-Booth.
Mr. W. H. Gladstone.	Mr. Richard Shaw.
Mr. Holms.	Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, called in; and further Examined.

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458. Mr. *Rylands.*] I SHALL trouble you, if you please, in reference to Question 417, which was put to you last Monday. I asked you, "According to the Return which was presented at the opening of the Session, several second class missions were raised to first class missions in October 1862; can you give the Committee any reason for that change?" and your reply was, "It was done by the direction of the Secretary of State." Then I asked, "Is it entirely in the hands of the Secretary of State?" You replied, "Yes." Then I asked, "And it carries an advance of pension from 900*l.* to 1,300*l.* a year?" to which you replied that it did. Now, I wish to ask whether there was any note or memorandum of the Secretary of State giving the reason for the change of these second class missions to first class missions?—I am not aware that there was. It is not the practice of our office to make a long minute, like Treasury minutes, upon any transactions that occur at the office. The probability is, that nothing more was said than that such a mission would be thenceforward classed as a first class mission.

459. You do not suppose that there would be any minute setting forth reasons for the change?—No.

460. Was there any communication with thy Treasury on the subject before the change of the rank of these missions?—There was no need of communication at that time, because all such regulations were made by the Secretary of State acting on behalf of the Queen, to whom a sum was entrusted by Parliament in 1832, for the diplomatic service. We were not then obliged to ask the consent of the Treasury to changes of that kind, or to the grant of a pension. The form in which a pension used to be granted was, that the Queen had been pleased to signify her commands that such and such a pension should be granted.

461. In fact, the pension was paid out of the 180,000*l.* a year from the Consolidated Fund, and did not come under the cognizance of the Treasury at all?—It came under the cognizance, but not under the control of the Treasury.

462. But now, in the event of any change of rank of this character affecting pensions, it would require the sanction of the Treasury?—With respect to pay, as well as pension, the sanction of the Treasury is required. The pay being on the Estimate cannot be increased without the consent of the Treasury. The Act of Parliament of last Session, 32 & 33 Vict. c. 43, has a provision about pensions, and, if you please, I will read the clause on the subject; it is the 13th clause. "It shall be lawful for Her Majesty, from time to time, to determine the foreign states, the envoys extraordinary and ministers plenipotentiary at which are thereafter to be deemed on first and second class missions respectively for the purposes of a pension under this Act. Such determination shall be signified in writing under the hand of the Secretary of State, to the Commissioners of Her Majesty's Treasury, and shall be laid before both Houses of Parliament within 14 days after the signing thereof, if Parliament be then sitting, and if Parliament be not then sitting, within 14 days after the commencement of the next Session." (I conceive, though it is not exactly expressed in terms, that the Treasury, if they were dissatisfied with the change, would be empowered to remonstrate.) "The arrangement existing at the commencement of this Act as to such first and second class missions shall, until and except so far as altered under the provisions of this section, continue in force for the purposes of a pension under this Act." Consequently the present arrangement of first and second class missions is now an arrangement by Act of Parliament, which validates the existing state of things.

463. With regard to the expenditure upon which I troubled you with questions last Monday, I presume that a very considerable portion of the expenditure of ambassadors or ministers abroad has reference to what may be called the cost of representation; the position that they occupy as representing this country in foreign capitals?—Yes.

464. The mere living in the style of gentlemen of rank in a foreign capital would not require, would it, the large expenditure to which you allude as being the justification of the high salaries?—Perhaps I can give you a better idea of the case by adverting to the practice in

in some foreign Governments. I believe that in the Government of Italy, for example, the ministers are classified; and that a minister of the first rank receives as pay, irrespective of his place of residence, so much, and for the expenses of his maintenance so much. I had in my hand the other day (but I cannot lay my hand upon it again), some Parliamentary Paper, I think it was, in which it was proposed, a great number of years ago, to regulate the salaries of our missions upon a similar basis; but my recollection (I am speaking only very vaguely) is, that the ambassador at Paris, under that regulation, would have received rather more than 5,000 *l.* a year as pocket money, you may say, and very much the same sum of money for the purpose of representation.

465. I understand, at all events, that it is the fact, that in judging of the expenditure of an ambassador or Minister abroad you consider that beyond the ordinary expenditure of a nobleman or gentleman in his position, he would have to expend a certain extra amount attaching to the position which he occupies as the representative of this country?—Yes.

466. In order to save time, perhaps you will allow me to read a reply of Lord Palmerston's before the Select Committee of 1850 on Official Salaries, in which, in allusion to the high salary given to the ambassador at Paris, and speaking of the reasons for it, he says, "Then France is the country with which our relations are the most important, and in order to put those relations upon a good footing, it is necessary that the representative of England there should live in a way that involves a good deal of representation and of hospitality; and the number of English who frequent Paris, and who expect more or less to be entertained by the ambassador, is greater than in any other continental town;" I dare say you accept that as a fair expression of the ground on which this extra cost rests?—Yes.

467. This cost, according to Lord Palmerston's classification, includes two branches; the first is the expense arising from the entertainment of subjects of the British Crown visiting Paris, and the second is the expense which it is necessary to incur in extending hospitality to persons of importance in the country in which he resides?—I do not think that you can separate the two, because they are so completely united. The ambassador at Paris does not give one entertainment exclusively for French and foreign society, and another exclusively for the English; they are blended together, and you cannot separate the two things.

468. I am quite aware of that; but the point that I am directing your attention to is this, that there are two occasions of expenditure, the one having reference to the entertainment of persons from this country, the other having reference to the entertainment of persons abroad, both classes of persons no doubt being entertained at the same time, and under similar circumstances?—Just in the same manner as in this country; you have people of noble families and commoners going to every party in London; there is no difference that I can see.

469. But I think I understood from you in reply to my question, that over and above the ordinary expenditure of an English nobleman or gentleman who might be residing in Paris, there is necessarily, in the case of an ambassador there, an additional cost of representation, as it is called?—Simply because an ambassador would open his doors more widely as a general rule than an ordinary person living in that country. I believe, speaking of this country, that a nobleman with only 5,000 *l.* a year would be hard put to it to open his doors very widely.

470. You will understand that I am troubling you with these questions because I want to get at the grounds on which, for the public interest, it is necessary to give ambassadors and ministers abroad high salaries?—I think I can explain my meaning by asking you another question; what would be the appearance if an English ambassador were only to receive foreigners at his house and shut his doors to his own countrymen? I think it would have a very extraordinary appearance, and I think the first result would be that there would be a complaint in the House of Commons of that discrimination being made between foreigners and British subjects. If it did not come publicly before the House of Commons I am sure that we should hear of it a great deal in the Foreign Office. We frequently do hear complaints now that people are not invited to parties given by our ministers; and if that rule were laid down at all on the principle that you are seeking to establish, I am afraid that those complaints would be so very loud that my colleague would be put to it to justify the proceeding of the ambassador before the public.

471. I am not seeking to introduce any principle, but merely wish to get at your opinions, which are very valuable no doubt, from your experience. I understand from you that a very considerable amount of the additional expenditure incurred by an ambassador in Paris is incurred in consequence of giving entertainments to people from this country, and also in entertaining persons connected with the court and capital in which he resides?—I really cannot draw any such distinction as you wish me to draw; it is utterly impossible to do so.

472. I do not wish to draw any distinction. I merely want to get at the fact?—But you are asking me, in effect, to make a distinction which it is utterly impossible for any person to make.

473. I think (without pressing you further on that point) you are perfectly aware that the class of persons who go to foreign capitals, and who are entertained by the ambassador, are persons chiefly connected with the higher classes of society?—I am wholly unable to say who are admitted within the doors of an ambassador.

474. You are quite aware that people of humble rank would not be likely to be entertained by them?—That is not a matter that I am competent to speak about. I do not know on what principle any one of our ministers receives people at his house.

475. You are aware that we are now inquiring as to the ground on which this country is justified in paying out of the public purse a certain sum of money?—The ground is, that the position of the country should be maintained, in foreign estimation and its own, by its ambassador not being obliged to live in a manner unbecoming his office. The English ambassador or minister in a large capital must receive, or at least ought to receive, liberally persons of whom society, in the common acceptation of the term, consists. The distinction which you draw, I think, is rather an invidious distinction, because I do not think that it would be imputed as a fault to the Duke of Devonshire, or to Mr. So-and-so in this country,

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that they did not ask their greengrocer or their butcher to come to their parties.

476. But supposing that the greengrocer and the butcher paid their share of the cost of the entertainment, could they be fairly omitted?—They have the benefit of the protection resulting from the maintenance of the ambassadors on a proper footing, which protection is valuable to them in all their transactions, direct or indirect, with foreign countries.

477. I am asking this question with a view to learning how the interests of the country are benefited by the great expenditure of ambassadors abroad?—The greater the influence that a minister has abroad, the greater is the extent to which he is able to protect and watch over the interests of his countrymen.

478. By the influence which he brings to bear upon the persons who have authority at the court, do you mean?—By his general influence. If an ambassador is disparaged in a country for one reason or another, he is not listened to by the Government of that country.

479. In reference to giving good dinners to persons residing in foreign courts, you are aware that Sir Hamilton Seymour stated in his evidence before the Committee of 1850, that he considered that the giving of good dinners was a very important part of the duties of an ambassador?—I am aware that he did so; Sir Hamilton Seymour is in London, or was so a few days ago, and perhaps you had better apply to him in reference to that matter.

480. If you will not accept Sir Hamilton Seymour's opinion that there is an advantage in the giving of good dinners by an ambassador, I will not ask you more?—I do not say that this or that person should be invited, but I will endorse it to the fullest extent, if it is meant that it is essential for an ambassader to have his house resorted to by influential people in the country in which he resides.

481. Is it your opinion that the justification for giving these entertainments to persons of influence at foreign courts, is the advantage that this country derives in consequence of its representatives abroad obtaining valuable information on public affairs?—It is part and parcel of the advantage; but the whole hangs together. You may not say that a man gets a specific advantage from this or that thing, but it is part of a whole which gives him influence.

482. Sir Hamilton Seymour was asked in the Committee of 1850, in reference to giving these entertainments, "It is a means of keeping upon a good understanding with the diplomatists and ministers of other countries?" and I beg to call your attention to his reply, "No doubt about it; the man who would be shocked at the idea of a bribe, is open to the agreeable influence of a pleasant dinner and good society." May I venture to ask you whether that is the direction in which you think the giving of these good dinners is calculated to promote the foreign diplomacy of this country?—It is very much the same thing that occurs in ordinary life; you are on better terms with a man that you receive at your table, than with a man that you do not receive at your table. Really I think Sir Hamilton Seymour had better be examined upon his own evidence, and that I should not be examined upon it. I think it is hard that I should be called upon to comment upon his evidence.

483. I am rather anxious to have an opinion drawn from your great experience; I will therefore call your attention to the question which follows: "When you speak of the influence which you obtain by the dinners which you give, what do you suppose you gain in that way more than the Americans obtain by a straightforward legitimate diplomacy?" Sir Hamilton Seymour's answer was, "I ask a man to dinner who is not able to pay me by a dinner, and who therefore is very glad to pay me in another way; he may bring me a piece of intelligence, for example." You will see that the point is quite germane to the examination that we are going into; with your great experience in the Foreign Office, I am anxious to know whether, according to your idea, that is one of the important advantages obtained by our foreign diplomatists giving good dinners?—I cannot answer questions of that kind; I am perfectly willing to say, as I have said already, that I think it is a most essential advantage to the country that the doors of an ambassador or minister should be open, and that people of all classes, diplomatists and people of the country, should come and mix freely at his house. I cannot enter into details; it would be indecorous and improper for me in my situation to go into details on that matter; and I must ask you therefore to take on trust what I say; I might give you instances which might probably surprise the Committee, and for doing which the Committee might turn me out of the room, probably, if I gave them.

484. I will not ask for anything of that kind; but I judge from your reply that we may take it that there is some force in the argument in favour of this costly representation on the part of our ministers, based on the fact that they do get information from quarters from which otherwise they might not get it?—There are many things besides information necessary for a friendly relation between states; the good feeling subsisting between this country and foreign states is kept up in no small measure by the good feeling subsisting between the representatives of the British nation there, and the influential people in the country.

485. Just incidentally I would ask you a question in relation to the cost of the missions in former days; I think in former days the ministers kept a sort of table for the members of the legation?—I believe that you are going back to a very distant period before diplomacy was reckoned a profession, when an ambassador or minister who was sent abroad took with him his own friends, young gentlemen for whom it would be advantageous to see the world, and go the grand tour; but since diplomacy has been considered a profession, the Foreign Office has never held it incumbent on the minister to keep a table for the people attached to him.

486. But since the remote period that you have spoken of, going back to one or two generations ago, I suppose the fact is that secretaries of the different classes have dined at the minister's table as a regular rule?—It has always been at the option of the minister, as far as I know; some ministers have, perhaps, liked to have their attachés and secretaries dining with them continually, and to keep an open table for for them, while others did not care to do so. It has been perfectly free for them to do as they liked.

487. But the practice formerly in the great missions was, that a very considerable expenditure

was

was incurred by the heads of missions in entertaining their subordinates, which is not now incurred?—I cannot say that practically it has so happened in my own knowledge; the rule is, if there is a rule, that there is no obligation upon an ambassador or minister to receive at his table one of his attachés from year's end to year's end. But I think, if I am not mistaken, that in some Paper before the Committee it is said that one of the reasons why ministers and ambassadors who, from kindly feelings towards attachés, might be very glad to see them constantly at their table, have been obliged to restrict their hospitality to them, was the large increase of cost of living which rendered it impossible for them to extend that hospitality to their attachés which they might have wished. I think it is stated in some of the Papers which I laid before you the other day, that the great cost of living has rendered it necessary for ministers to restrict their hospitality; and in confirmation of what I have said, I may add that I have heard that even where, either from having private resources or from his own natural disposition, a minister liked to have his secretaries and attachés constantly at his own table, he invited them only in the morning, and they did not come as of a right. In my memory, no secretary or member of a diplomatic body has, as a right, had admission to the table of the minister.

488. I do not put it in that way; all I want to know is, whether the practice is so?—I do not know sufficient of the missions to be able to say the practice; the exception I would make is, that in the case of a special mission (not the ordinary residential missions), where two or three persons go out attached to the mission, and where the expenditure is all provided for them, of course the staff would dine with the head of the mission.

489. You are aware that this costly system of representation at foreign courts is not adopted by the American ministers?—Simply, I believe, because they have not the means of doing so; and in addition to what I said the other day, I may state that on speaking of my answer I was reminded of one American minister in this country to whom it was so painful to be unprovided with the means of receiving people at his table, that he absolutely refused to go into society at all. Now that is not a proper position for any foreign minister to be placed in, and I think you will admit that.

490. That is putting it in a very extreme way, no doubt, but I should like to speak of the general circumstances of American missions; and I must again ask you whether American diplomatists suffer in consequence of this absence of costly representation?—It is a question which I cannot answer, and which it would be obviously improper for me to answer if I could.

491. You are aware that the Committee on Official Salaries in 1850 recommended that no minister should receive more than 5,000 *l.* a year?—I am.

492. Did not the Treasury some years since propose to reduce the salary of the ambassador at Paris to 8,000 *l.* a year, and were they not overruled by the Foreign Office?—The salary of the ambassador at Paris was, I think, in 1851 reduced to 8,000 *l.* a year.

493. It never was actually reduced; it was only proposed to be reduced, was it not?—I hope it was reduced, because otherwise the Return given by us was an incorrect Return. It is stated in our Return of 1851 as 8,000 *l.* a year.

494. The scale in 1851 is put down as 8,000 *l.* a year; "previously to April 1851 the salary of the ambassador at Paris was 10,000 *l.* a year;" it does not say when it was increased to 10,000 *l.* a year again; my own impression is that it is a question whether it was ever paid at the rate of 8,000 *l.*?—When it was increased from 8,000 *l.* to 10,000 *l.*, it must have been the utter impossibility of the ambassador doing with less.

495. When was it increased?—In 1856.

496. It was brought down to 8,000 *l.* in consequence of the action of this Committee of 1850, and then was raised to 10,000 *l.* a year by the Foreign Office?—I cannot say what were the successive processes. It was raised to 10,000 *l.* a year in 1856.

497. You alluded to the salaries paid to the leading officers of State at home; the most important being the First Lord of the Treasury and the principal Secretaries of State; they receive 5,000 *l.* a year?—Yes.

498. On what ground would you contend that a larger salary should be paid to ministers abroad?—Simply because ministers abroad live in a different style, and are obliged to live in a different style, from that which ministers in England are obliged to live in.

499. The cost of representation is what you allude to?—The cost of representation, and (what is practically the case, I believe) the increased expense of living abroad as compared with living in England. England, I believe, at this present time, is cheaper than any country abroad, because we have such commercial facilities. Our commercial system has opened our ports to all the necessaries and luxuries of life, and all naturally come to this as the best market.

500. You are quite aware that in case of the great officers of state at home, the additional expenditure is very considerable which is involved in holding those important offices?—I am unable to speak to that. But I think that a large proportion of the gentlemen in England who arrive at high office have considerable private means of their own. If that principle is to be applied to foreign diplomacy you would shut the door to talent in regard to our representation abroad. Many of our ministers abroad have little or no private fortune. I know it for a fact (of course I will not mention names) that the necessary expenditure of many of our ministers is so large that they are obliged, not only to appropriate to it their private income, but also their capital, which they certainly ought to be allowed to set apart for the benefit of their families. Now, in saying that, I am speaking of things almost within my own knowledge, indeed quite within my own knowledge.

501. In the Report of the Committee of 1850 on Official Salaries, evidence was given by very eminent ministers and ex-ministers to the effect that the salaries paid to the principal officers of State in this country were not at all sufficient to cover the additional expenditure which was entailed upon them by their position in those offices?—Will you permit me to say that I am not at all qualified to compare the expenditure in this country, and the rewards given to officers of State in this country, with those abroad. I can only speak of the expenditure which a minister abroad is obliged to incur; and though I did

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draw that comparison the other day between the American Secretary of State and American ministers abroad, I do not say that it is a fair comparison. But if you will adopt that as a comparison, I believe that most of our ministers and ambassadors will be glad of it.

502. If the diplomatic service were opened and so constituted as to secure in foreign missions the services of a secretary of legation similar in position to the permanent under secretaries at home, is there any reason why public men might not have the ambition to serve as ambassadors or ministers abroad in the same way that they would accept one of the great offices of State at home?—My first answer is, that the question turns upon an "if." The next point is, that I cannot say to what ambition might lead a man. It is a question to which it is impossible for me to give a sensible answer, an answer to such questions must depend upon speculative opinion. I am happy to answer questions as to facts, as far as my knowledge goes, but I really cannot undertake to speculate upon what this or that man might do under these or those circumstances. It is impossible for me to do so; and the fact is that you would put me in an invidious light towards everybody in the public service, and the public generally, if I were to speculate on those things.

503. I should be very sorry to do that, but my object is to get from your experience and judgment an opinion as to the facts that might be brought before this Committee to furnish matter for recommendations in connection with the diplomatic service; and it seems to me that it is not out of reason for me to ask you whether supposing you had an officer of this character, a man similar in position to an under secretary at home, a permanent high officer employed in foreign missions, that would not enable the Government of this country to send over to a foreign mission some public man who might not otherwise have been trained to the diplomatic service?—I would say generally that it would be very undesirable to have attached to a foreign mission a permanent officer of high station, such as those attached to the Foreign Office at home. I think that permanence in a foreign mission is bad. A permanent officer at home may be swayed by influences, but they are the influences of his own country. A permanent officer abroad is only too likely to imbibe the feelings of the court, and to see through the eyes of the court or the Government to which he is accredited, rather than through his own eyes. That I believe, and in fact of that I do know instances.

504. You are quite aware that in former times it was customary for the heads of the great missions in Europe to be changed with the change of Governments?—It was put a stop to, I believe, in 1853, and the reason was that the general foreign policy of the country goes so much in the same groove, whatever party is in power, that there is not now that broad distinction which there formerly used to be between the foreign policy of one party and the foreign policy of another. At the same time, if the foreign policy of the country rendered it disagreeable to a minister to execute the instructions given him by the Secretary of State for the time being, it would be his duty to retire, and his own feeling would make him retire.

505. I have been asking you in reference to the greater missions; but supposing that such a permanent official as I have been suggesting was appointed in connection with missions generally, I wish to ask you whether it would not be practicable to reduce the less important missions, sending ministers there only on special occasions, as the necessity might arise, the first secretary of legation acting as chargé d'affaires?—A chargé d'affaires permanently residing as such at a foreign court would not be looked upon in the same light, or be of the same benefit to his country at home, as a minister would. In the case of a chargé d'affaires acting in the absence of his chief, of course the position of his chief ensures him that respect and consideration which his chief, if he were there, might enjoy, but a mere chargé d'affaires would not receive. And then, being upon that point, I may mention that it is a very sore subject with the South American Republics that we are represented there by chargés d'affaires, and not by ministers. The United States know their feelings so well, that I believe to all the South American Republics they send duly accredited ministers; and the French are now doing the same to a certain extent. It was only the other day that the appointment of a French minister to Chili was mentioned by the Chilian minister in his Report to Congress, as a proof of the estimation in which that country was held by the Government of France. And you may perhaps have seen a statement in a newspaper (I do not myself remember where it was) that one of these South American Republics desired their minister, though also accredited here, to reside in Paris, because they did not choose that he should reside in London, we only maintaining a chargé d'affaires at the seat of his Government.

506. I will ask you some questions, presently, about the South American missions. We will keep now to the European missions?—The ruling feeling is the same. If the feeling in the South American Republics is as I describe it, necessarily, to a much greater degree, would it be the feeling in Europe.

507. Still, having regard to the interests of this country, are you not of opinion that, with the smaller missions, there would be a sufficient representation by our having a permanent secretary of legation acting as chargé d'affaires, with the understanding that whenever necessity arose a minister should be sent?—I hardly know, at this present day, what you would call the smaller missions.

508. Take, for instance, Denmark and Sweden; they can never hope again to take any leading part in the world's affairs, such as they formerly took?—I am not prepared to admit that.

509. You are not prepared to admit that they are, at present, in such a position in Europe?—That was not the question you put; you said, "can never hope."

510. Are they not now in a position to have little or no influence on the politics of Europe?—No, I will not admit that; they have a very material influence.

511. We will take next the small kingdoms and duchies in Germany, which have certainly forfeited, at present, and are never likely to regain, the right of contracting either military conventions or commercial treaties. Why should we, in courts like those, keep up a costly representation?—Which courts are you alluding to?

512. To the courts now connected with Prussia?—I gave an explanation, I think, in regard

lard to the only three at which we maintain a lomotic agent, in very great detail, in answer a question from Mr. Kinnaird, on the second , and it is recorded at length in the evi- nce.

513. Is it not the fact, that in regard to witzerland, which is another of the smaller ssions to which I have been alluding, the overnment of that country only send a consul neral to us, while we send an envoy extra- linary to that court?—It is the fact; and one y of accounting for it may be, that we have, d there are, great European interests con- cted with the existing position of Switzerland. l the great powers are represented at Berne, d it would be not only very unseemly, but o very prejudicial to our general position in urope, if we showed to Switzerland that in- fference for her independent position which e now happily occupies, which would be anifested by the suppression of the mission at erne.

514. Wurtemburg, again, has only a consul in ondon, whereas we send there a minister, with ree secretaries of legation; how can that be stified?—The secretary of legation resides at e independent Court of an independent Sove- ign, whose position in Germany is, perhaps, at is present moment, one of the most important most in Europe; it is a small duchy, but, from s position, of very great consequence; I allude the duchy of Baden. Look at the map of urope, and see where Baden lies: it extends long the whole line of the Rhine frontier between rance and Germany, and nobody, on the lightest reflection, can say that that is not at he present time a very important position.

515. It is important to us, as I said before, on he principle of our intervening in foreign affairs?—No, I beg your pardon; it is not im- portant so much in regard to our intervening, but it is important for us to know what may be going on, and what the feeling at that court is; for any convulsion in those countries must react upon the policy and the material interests of this country. I do not think you quite apprehend the importance to England of the maintenance of a good understanding among the powers of the Continent; it is essential to all our manufac- turing and industrial interests, and every effort that we can make to maintain a good under- standing between the Powers of Europe tends to support the interests of our industrial classes here.

516. In regard to the state of the continent, in your opinion can there be said to be more than seven or eight states in Europe between which and this country real international business can be carried on?—My answer is, that in every state where we have either an ambassador or an envoy, international business is carried on of very great importance, in different degrees certainly; but all the states of Europe now hang pretty nearly together, and what concerns one concerns all. That is the general rule.

517. Have you considered the aggregate cost of our present system of representation at the small European courts; we have a Return, which is the one presented by the Foreign Office, from which I will read, if you please, the cost to which I allude:—Bavaria, 5,014*l.*; Belgium, 5,365*l.*; Denmark, 5,514*l.*; Greece, 6,344*l.*; Hesse Darmstadt, 826*l.*; the Netherlands, 5,360*l.*; Portugal, 6,817*l.*; Saxe Coburg, 883*l.*; Saxony, 1,035*l.*; Sweden and Norway, 4,805*l.*; Switzerland, 3,846*l.*; Wurtemburg, 3,520*l.*; making a total of 49,329*l.*; I have taken that from the Return of Expenditure, which includes the aggregate of each mission; is that correct?—The Return is meant to be correct, and I believe it is correct.

518. I simply want to ask you whether you are able to inform the Committee whether it is not a fact that the work of these small legations is of the most trivial and routine character, and that the ministers and secretaries have notoriously very great difficulty in filling up the time which hangs rather heavily on their hands?—I am perfectly unable to answer that question; it is obvious that I cannot answer such a question.

519. With regard to the more important missions in Europe, leaving now the smaller missions, is it not the fact that the conditions under which diplomatic action is carried on are very different from the circumstances of former times?—What times do you speak of, may I ask?

520. A hundred years ago?—I am rather old, but I cannot say what happened a hundred years ago.

521. Fifty years ago?—I cannot recollect that time. But I will not say that the circumstances are essentially different, except perhaps that from the consolidation of the large kingdoms, and the very large military establishments kept up in them, the policy of the nations of Europe requires more attention than it ever did before.

522. I am afraid you have hardly understood the drift of my question; when there were only very limited and difficult means of communication between London and foreign courts, did not much more depend upon the individual judgment and action of ministers abroad than does now?—Everything now depends upon the judgment and tact of the minister in executing whatever instructions are conveyed to him.

523. Conveyed from the Foreign Office?—Yes.

524. But in former years, before these facilities of communication existed, the instructions of the Foreign Office must have been at much longer intervals, and conveyed with much greater difficulty than they are at present?—The policy of the Queen's Government now, as in all times, has been laid down distinctly, though in general terms, for the guidance of British ministers. Special instructions are issued from time to time; but the general policy of the Government is always shadowed out either in the verbal or in the direct instructions by letter, which a minister receives on going to his post.

525. But is it not the fact that in the conduct of any important negotiation, a minister abroad is in the constant habit of receiving instructions from the Government at home?—Of course he is.

526. Then those instructions can be conveyed to him, under the present circumstances, with much greater rapidity and ease than they could have been at some former period, before the discoveries that have been made in modern times?—All business in the world moves much faster now than it did; people acted with much greater deliberation in former times in all the transactions of life; all business is done now at high pressure here, and so it is abroad. We have now the electric telegraph, which for all purposes of business is a very unsatisfactory means of communication; you may send a word, or a sentence,

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but an explanatory despatch, or an argument to be enforced, you cannot send by a telegraph.

527. But it is the fact that you use the telegraph in cases of emergency?—In cases of emergency; but then we always expand in subsequent instructions any important brief instructions sent by electric telegraph.

528. No doubt; but if a minister abroad had some negotiation on foot, and there was a point upon which he was required to come to an immediate decision, he might telegraph to the Foreign Office at home, and get upon that point a special instruction?—That of course he might do.

529. That he would do under ordinary circumstances at the present time?—I presume he would.

530. But in former days he could not have done anything of the kind?—It is a very great comfort and support, no doubt, to a Minister at the present day, that he can get, so to say, daily support from the Government at home, whereas, in former times he was obliged to use his judgment, and act upon the general instructions which he might have received, and could not rely, as he does now, upon instructions as to any particular point that may suddenly turn up being sent to him; but the getting instructions upon a particular point does not supersede the daily and hourly transactions in any important negotiation or discussion going on abroad; you want as much, if not more, tact now than ever, for carrying on the diplomatic business.

531. But still after the questions that I have put to you, and without taxing your memory to go back 100 years, I think that you will agree that diplomatic action is carried on now under conditions different from those that existed in former times?—Unquestionably; but the essential difference to which you are trying to lead me does not exist; you wish to lead me (if I may put words into your mouth), into assuming that the position of a diplomatist abroad does not require the same tact and ability now that it did in former times; and that I think is mainly the drift of your questions.

532. I do not admit any drift in my questions; I am now getting at the facts as to the circumstances under which diplomatic action is carried on, and I gather from your reply that in consequence of the advantage that ministers abroad have now of appealing to the Foreign Office more frequently than they could do before, they are not called upon in emergencies to exercise their judgment and decision in the way that they were in former years?—It is a question entirely of degree; and unless you give me the particular circumstances of any negotiation which is going on, it is utterly impossible to answer a question of that kind, because all depends upon the circumstances of the moment. The only answer I wish to give is that you require the same tact and judgment and decision on the part of a representative of the Queen abroad now as you did in former times.

533. But you do not dispute that in an important emergency before giving a decision our representative abroad can now take the opinion of the Foreign Office, which he could not do in former years?—I do not dispute that; but I must add to that that there are two ways of acting upon an opinion. You may act upon an instruction or opinion clumsily, or you may act upon it cleverly; and that is the foundation of my observation, that you require as much tact and discretion now as ever.

534. Has there not been a tendency during the last ten years greatly to restrict the operations of our diplomacy?—Certainly not.

535. Formerly I believe it was thought necessary for this country to mix itself up with all the details of continental politics?—I am not aware that we do not become acquainted with all the details of foreign politics now, for details are necessary to enable you to judge of a matter in the mass; at least you cannot judge safely of a mass without knowing all the details.

536. May I take your answer to mean this, that there has been no practical difference in the mode of dealing with continental matters pursued by the Foreign Office during the last few years?—Practically not.

537. Was the course which was taken in former years in connection with continental politics in obtaining information on matters of detail the same as the course taken now?—I can never trace any difference.

538. I think that I have gathered from the evidence which you have given before previous Committees, and also from the evidence which you have given on the present occasion, that a very primary object in the conduct of our missions abroad is to obtain information upon current events of a political character in foreign states?—The obtaining of that information is necessary to regulate the conduct of our missions abroad under the instructions of the Secretary of State. It is necessary that the Secretary of State should be informed of all events abroad in order that he may give the right instructions.

539. And the object of our missions abroad is to obtain that information for the guidance of the Secretary of State in the management of the foreign policy of the country?—Certainly.

540. Do you not think that in this respect, owing to the amazing ability with which the press of this country, more especially the "Times," obtains accurate and early information, the operation of our foreign missions has been much reduced in importance?—I really must decline any reference to the operations of the press. I do not think that it would be right for me to express an opinion as to the merits or demerits of the publications in the daily journals.

541. But is not the intelligence obtained by the press often in advance of that procured by the Foreign Office?—I will say that intelligence (leaving out the "the") may be so obtained, but you will understand that I do not say that that intelligence is in all cases necessarily correct.

542. Formerly the action of foreign Governments might be dictated by a secret intrigue which it might be difficult for an envoy to discover; but now, in constitutional Governments are not questions of policy very publicly discussed and determined in the main by the decisions of public opinion affecting the legislature?—The difficulty that I have in answering the question is the want of a definition of a really constitutional Government.

543. You think it is necessary, in order to answer my question, that that should be defined?—Yes; the possession of a Chamber does not constitute a constitutional Government for all practical purposes, in the same manner as it constitutes it in this country. The influence of the Sovereign, even in the so-called constitutional Governments of the Continent, is quite a different influence from what the Sovereign exercises in this country.

544. But

544. But I presume that the Foreign Office is very much guided by information as to the state of public opinion in foreign countries, and as to the probable action of foreign Governments?—The state of public opinion in foreign countries is, of course, an ingredient for consideration, but it is not the only one.

545. Is it not a very important thing for the Foreign Office to know what is the general feeling amongst the members of the legislative bodies of foreign countries, as dictating the policy of those countries?—Of course it is important to know it, but it does not necessarily follow that the opinion of individual members sways the policy of the country.

546. But are you not able, in the Foreign Office, to form an opinion as to the probable course of action in foreign countries, rather from the ordinary channels of information, and the reports of the action of legislative assemblies, than from mere information picked up by secretaries of legation?—It would be very unsafe for the interests of the country if we were to rely entirely upon information deduced from those sources.

547. Is not the information obtained by the Foreign Office, upon which you are disposed to rely, from missions abroad liable to be influenced unfavourably by ministers mixing in particular cliques, or by their sympathies being engaged with one of the political parties of the country?—That is a question that I beg to be excused from answering, because incapacity, and inability, and neglect of duty on the part of our ministers are implied by it.

548. I will now leave that part of the subject and go to another; do you not consider that as the greatness of this country mainly depends upon our commercial prosperity, the interests of commerce should occupy a leading position in the duties of foreign missions?—They do so.

549. I will now, if you please, refer to the answers that you were kind enough to give on the last occasion in reference to the secretaries of legation; at Question 369, I asked you whether the reports of the secretaries of legation came through the heads of missions; your reply was, "I believe they always do; they do not come into my hands, from the changes in the distribution of the office, but I believe they always do come, and they ought to come, through the heads of missions, who merely forward them"?—Yes.

550. I find in a despatch from Lord Clarendon, dated 1857, some instructions relating to this matter: "While assigning this specific duty to Her Majesty's secretaries of embassy and legation, it is not intended in any way to release them from the superintendence and control of the heads of missions. They will remain, as now, wholly subordinate to their chiefs, and they will report exclusively to them. On the other hand, Her Majesty's Government expect that the heads of missions will give effect to the object which they have in view, by obtaining for their secretaries access to all sources of information, by encouraging them by their support and advice, and by pointing out to them the matters to which their attention may most usefully be directed;" that goes very much beyond the answer that you gave to me, that these reports were merely forwarded by the heads of missions?—I beg your pardon. In the passage which you have read, the instructions had reference to preparing reports, whereas my answer only applied to forwarding the reports when prepared.

551. The whole scope of my inquiries, the other morning, was with a view to get from you information to show that these reports were under the direction of the ministers in chief and heads of missions, and that therefore it was right and reasonable that all members of the mission should aid in preparing those reports, and obtaining information for the purpose of the reports?—That may have been the object of the question; but those reports are the reports of the individual secretaries of legation. The head of a mission would very naturally say to a subordinate, "I think a report upon the industrial classes, the poor laws, or any other specific matter, might be of interest; do not you think so? If you do, I will put you in relation with such and such a person, who can give you information on the subject." That is the meaning of that passage; and when I refer to the minister forwarding those reports, it is simply because the secretary of legation has no direct correspondence with the Foreign Office, and they must come through the hands of his chief. That is perfectly consistent with what you read.

552. But it seems to me that the words which I have read imply a much more active share on the part of the head of the mission than the answer which you gave to the Committee the other day?—I cannot see that.

553. I will read you the next passage in Lord Clarendon's despatch; "Her Majesty's Government will expect to receive from the heads of missions copies of the reports made to them by their secretaries, accompanied with any additional observations which they may themselves see occasion to offer?"—Under that instruction they would not make any observations unless they saw occasion to make them.

554. May I ask you whether it is at all usual for the reports of the secretaries of legation to be accompanied by any observations from the heads of missions?—If any observation does accompany them, it is probably an acknowledgment of the zeal and industry shown by the secretary of legation in preparing the report; that is generally the case, I believe.

555. I see there is another despatch from the Foreign Office bearing on this point; it is from Lord Russell in 1860. Lord Russell, in this circular, states, "I have reason to suppose that some misapprehension prevails in regard to the obligation on the part of secretaries to furnish reports in that capacity when acting as chargé d'affaires, or when absent on leave, or only recently appointed to a post; I have therefore to desire that it may be understood that secretaries of legation are not exempted from the duty of reporting in consequence of being for the six months preceding the date of their report, or for any portion thereof, acting as chargé d'affaires. Secondly, That absence on leave does not exempt a secretary from making his reports at stated times; he must obtain materials for those reports from the place at which he holds the appointment." Now, is that instruction of Lord Russell's acted upon by the secretaries of legation in the preparation of these reports?—I presume it is, I cannot say positively.

556. Because part of the instruction is that if a secretary is on leave (and I wish to call your attention to this point), he is not exempted from the duty of furnishing a report, but he is required

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to obtain information for the purpose of the report from the place at which he holds his appointment, and to send in his report as though he were present at his mission?—There is no difficulty in his obtaining information from the place to which he is attached. If a person is writing a book, he does not necessarily go to seek every fact at any place with which it might be connected; he obtains information from other sources, without going to the place itself, or at least he can do so. The object of that instruction was merely to obviate any excuse for not making a report because of occasional absences; and when that instruction was issued, I think the secretary of legation was habitually not more than three months away from his post; the report was to be made periodically, and he might be a portion of his time at his post, and another portion in this country, and in the latter case he might have papers sent to him; but Mr. Lowther is much more competent than I am to state the practice, having been a secretary of legation himself.

557. I am not desirous to depreciate these appointments, but I understand from you that this instruction of the Foreign Office is carried out, and that a secretary of legation, away from his place of appointment, obtains materials in the best way he may, and sends, at the stated time, his report into the Foreign Office?—I presume he does. I am unable, however, of my own knowledge, to say that he does, because, in the first place, I do not always see the reports; they come in periodically; but I imagine that the instructions are followed.

558. In those cases, would you suppose that the secretary, absent from his post, would send his report, under cover to his chief, before it was transmitted to the Foreign Office?—He should do so. It is one of those things that we would not specially press. But it so happens, that only a few weeks ago a minister wrote to me to request that the report of a member of his mission, who was on leave, on a particular subject entrusted to him, should pass through his hands before it came to the Foreign Office. That is the practice, I believe; it ought to be so at all events.

559. I am anxious to be satisfied that, under the instructions of the Foreign Office in relation to this important matter, the heads of missions are expected to take an active personal supervision of those material interests which come within these reports?—If you mean by supervision, correcting and amending the secretary's report, I do not consider that that is the duty of the head of a mission, and it would entirely defeat the object of the regulation if he did so. We want the report to be that of the secretary himself from just those materials which he has obtained, from year to year, from books or personal observation, or from people who have given him the information; but it must be the man's own report, and ought not to be corrected by anybody. Supervision, as I understand it, means seeing that the report is sent in at a certain time, and, if you choose to carry it still further, that the secretary of legation has those facilities afforded to him for collecting materials for his report, which it is the desire of the Foreign Office should be at his disposal.

560. But still, as I understood from you on Monday (and I think it is a most important point), the object of these reports is not simply an educational training for these young men?—The original object was merely training for the young men. For the first years we never published those reports; but some cause or other, which now I cannot remember, led us to suppose that they would be interesting to the mercantile community of the country, and from that time they have been, as a general rule, published. The object, however, of making the reports was the training of the secretary of legation, by causing him to direct his attention to what was going on in the country; and that is especially needed now, when the social and industrial pursuits of the Continent are matters in which the public in this country take a particular interest.

561. And is it not, and ought it not to be, a most leading point in the action of our missions abroad to obtain information for this country on matters of that kind?—Certainly it ought to be; and the missions are acting on that principle.

562. Then I would ask you, taking that principle, and looking at the great importance of the interests involved, is it not desirable that the heads of missions, beyond merely carrying out the instructions which the Foreign Office has laid down in their despatch just now read, and which go rather further than I think I understood you to state, should take a more responsible part in the superintendence of those important reports?—The head of a mission would, of course, report generally upon all industrial and commercial questions which might arise from time to time; but these reports are things special in themselves; they would cease to be secretaries of legations' reports if you made them, as you assume they should be, ministers' reports. It involves the point whether the heads of missions should themselves make periodical reports.

563. The heads of missions, I presume, when in communication with the Foreign Office on political matters, would take care that their communications went direct from themselves to the Foreign Office?—And so they would upon commercial matters. At this present time our correspondence with our missions is divided between political and commercial correspondence. A great portion of the correspondence that goes out of the Foreign Office in London goes out of the commercial division, is addressed by the Secretary of State to the ambassador, and is acted upon by him, in the same manner as the political part is addressed by the Secretary of State to the ambassador, and is acted upon by him. The ambassador is not debarred from dealing with commercial matters; on the contrary, all that occurs in the country as regards commercial matters is from time to time brought by him before the Secretary of State. I cannot tell you myself what the number is, but our register would show that in the last two months, since the beginning of the year, the number of despatches received from Lord Lyons on commercial matters is very large.

564. Leaving out of view the mere educational training of the secretaries of legation, and having regard to the information of the public, do you see any objection to these reports upon the industrial interests of different countries being sanctioned by passing under the authority of the chief of the mission?—They do so now, if the instructions are obeyed; they are passed through his hands.

565. But

565. But I understood you to say that he would not think of correcting any misstatement, for instance, in any of those reports?—If there were a palpable misstatement, he would doubtless tell the secretary, "you are wrong in that particular point."

566. I am afraid that in practice the reports come to the Foreign Office just as they are written by the secretary, with a communication, if necessary, from the head of the mission?—I see no objection to that. I think you scarcely understand the distinction between the two things. The report of the secretary of legation is upon a particular subject; he does not treat of the whole commerce of the country. Very often the reports have been upon matters having nothing on earth to do with commerce; I may say matters of great interest at this very moment. The Committee and the House will, for instance, this year have before them an immense mass of reports upon the land tenure of the countries of Europe. I believe they extend to a thousand pages.

567. I gather from your remarks that there is a very large amount of attention paid to commercial interests in our foreign missions, and I should like to ask you whether you do not think that the relative importance of foreign missions may be fairly measured by the extent of the trade existing with this country?—No, I cannot agree with that necessarily. There may be a small amount of trade with a foreign country, but political questions may arise in that foreign country, which, though they would not interfere with the commercial interests of the country as regards that foreign country, might, if insufficiently known, have a very important and prejudicial bearing upon the commerce of this country generally. That is the purport of the answer which I gave the other day. What I mean to say is this, that nothing can happen in Europe which disturbs the peace of Europe without more or less interfering with the industry of this country; and I have illustrated that by reminding you that the Civil War in America paralysed entirely a very large and important industry of this country; and, in fact, all the commercial interests in the country are still more or less suffering from the effects of that Civil War, and yet we had nothing to do with it.

568. But you put in a Paper the other day which had a bearing upon the relative expenditure of missions in South America, and that Paper referred us to the relative amount of trade between this country and the countries there: proceeding upon that, I ask you whether you think that the considerations affecting the relative proportions of trade between this country and other countries ought not to affect the importance of the missions accredited to those countries?—I think that in the case of those countries it is very essential that there should be an efficient diplomatic representative of some class or other; and I am perfectly prepared to go further, and say, that if the Committee would recommend that those missions in South America should be placed on a higher footing, and that the country should bear the expense of doing so, our position in those countries would be very much improved.

569. We will keep to the larger missions just at the present time. I dare say you are aware that our commercial transactions with the United States are about six times as great as those with Turkey, but I find that the cost of the Turkish Embassy is rather more than twice the cost of our mission to the United States. Probably you will not dispute that when I tell you that it is taken from the Return to Parliament?—Certainly I shall not. One reason may be assigned for that, namely, that the two countries are essentially different; you do not want a dragoman in the United States; our minister can speak with the President of the United States, and the Secretary of the United States, in a common language; in Constantinople our dragomans alone cost us about 3,000*l.* a year.

570. You are aware that the salary of the head of the mission in Turkey is higher than that of the head of the mission in the United States?—Certainly it is; and it is very important that the representative of this country in Turkey should hold ambassadorial rank; he has held it almost from time immemorial; long before our interests in Turkey were committed to the charge of the Foreign Office absolutely, in the time of the Levant Company, an ambassador was always, and I believe wholly, maintained by the Levant Company, though of course appointed by the Crown.

571. The diplomatic relationship between other leading countries in Europe and Turkey must require as much representation as that of Great Britain; take France and Austria for instance?—France has an ambassador in Turkey, and I should think she incurs very much the same rate of expenditure as ours. There is some difference of salary resulting from the habits of life in this country; and I am sure you would not wish an English ambassador going abroad to put off his English habits and feelings and become a foreigner. He carries the habits of this country with him abroad, and there is unquestionably greater expense incurred by an English diplomatist than by a foreign one; I would rather not discuss the point; there are reasons, which a great number of the members of this Committee must be aware of, how that comes to pass.

572. Still the fact is, that the French ambassador in Turkey, according to the Return put in by yourself, receives 5,600*l.* a year, while our ambassador receives 8,000*l.* a year?—Yes.

573. And the Austrian ambassador there receives 6,090*l.* a year, and the Prussian minister receives only 3,000*l.* a year?—That may be so. No English ambassador, and no Englishman, I would say, generally well keeping a house, will keep house on the same sum as a foreigner.

574. Then I suppose I must take your answer to mean, that under the circumstances of the case, we cannot expect our ambassadors and ministers at the principal courts of Europe, to be content with salaries of a similar magnitude to those paid to the ministers and ambassadors of other powers?—They cannot live upon them without trenching upon their private means, and it is an unfair thing for any country to impose upon its public servants the necessity of spending their private fortune for the maintenance of the interests of the country.

575. I have not said anything about the United States, but in this Return, to which I have alluded, all their salaries are very much less than the salaries of our ambassadors and ministers?—I may remind you that I said on the last occasion that the ministers of the United States are inadequately paid, and they know it and feel it; and I told you only the other day that I had had brought

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brought before me the fact of two American ministers being obliged to resign their employment from inability to live upon their salaries; and one of those ministers, if I am rightly informed, was at a place where a higher salary was paid to him than to our own minister.

576. I see from the Return that our minister to the United States has an allowance of 800 *l.* a year for house rent?—£. 1,000. a year.

577. I see also from the Return which has just been presented by the Foreign Office, that the British Embassy House at Constantinople has cost, since 1843, 158,226 *l.*, and the British Embassy House at Therapia, 41,029 *l.*, making a total of about 200,000 *l.*?—You will excuse my saying that it is not the Embassy House alone at Constantinople that cost that money, but the British Consulate and Embassy House at Constantinople; and I believe, moreover, that that sum includes also the restoration of the chapel. But whether or no, this Return extends over a period of 26 years, and the reason of the great cost was that at Constantinople fires occur occasionally, and the old Embassy House was burned down in 1831. And at Constantinople it would be impossible to hire a suitable house for love or money, and if you did hire one it would in all probability be a wooden house. I believe that we did hire houses while the Embassy House was rebuilding, and we paid an enormous sum for them, and we were in daily dread of the place being consumed by fire.

578. Then I suppose I am to understand that this great expenditure has been carried on under the authority of the Foreign Office?—Carried on under the authority of the Treasury. It was to provide a building for the Foreign Office.

579. It is upon the recommendation of the Foreign Office that this large expenditure has taken place during the last 27 years?—I will not say that it was upon the recommendation of the Foreign Office, because if the Foreign Office had had its own will, nothing like that expenditure would have been incurred. Long before the time to which that Return goes back, after the house was burned, we obtained an estimate, with the sanction of the Treasury, for rebuilding that house, including also the chapel, and, I think, a consulate. If that estimate had been adopted, the expenditure for rebuilding would have been much less than it has proved to be.

580. Then I understand that that was not adopted by the Treasury?—It was not adopted by the Treasury, partly, I believe, on account of some suggestion made from Constantinople.

581. Then if the Treasury had taken a different course, you think that it would have been a less expenditure?—It would have been a much less expenditure.

582. I believe that I am right in assuming that this Return (which I know has given you a great deal of trouble) does not include all the particulars that I have asked for; I mean the expenses of the repairs which have been devoted to the Embassy House at Constantinople?—No. I told you the other day, that for making out part of that Return it has been necessary to examine at the Audit Office 1,200 accounts, and between 8,000 and 10,000 vouchers, and it has occupied the time of three men for a month to do so, and at the Office of Works many hundreds of documents have also had to be examined.

583. That is to say, over and above the 200,000 *l.* spent in these buildings at Constantinople, we shall, unfortunately, find that a considerable sum of money has been spent in repairs?—That I cannot tell you. I do not know whether the hospital is included in those buildings or not. The chapel was burnt, I know, in the fire of 1831, and in all the expenditure for Constantinople the cost of repairing that chapel has been included, and our consular buildings also are included.

584. I take it that this has been spent very much upon the recommendation of the Foreign Office, and that you, as representing the Foreign Office, do not disapprove of this enormous expenditure?—I beg your pardon; I said just the contrary; it is not for me to approve or disapprove of it; but I say that if the first recommendation of the Foreign Office had been followed in 1835, or 1836, that large expenditure would not have been incurred. The Foreign Office have nothing on earth to do with the amount of expenditure on account of building in Constantinople; it was entirely conducted by the Board of Works, sending out their own architect; of course we saw the plan, and knew it; we required a building, but all the details were settled independently of us.

585. I will now go to the South American missions. You have told us that our interests suffer very materially in connection with these missions, by reason of our not being properly represented there?—What I said was, that I considered that in some cases our interests suffered from our not being properly represented. I have nothing to say against the gentlemen, as your question would imply; but I speak of the gentlemen not having a sufficient representative character. I doubt not that if that character were raised the Queen would give her letters of credence to every one of those gentlemen, and they would well deserve it. It is the fault of the country, not the fault of the men.

586. But would that recommendation of yours be answered if these representatives had higher rank without any higher salary?—I do not ask any higher salary for them, and they say that they do not ask any higher salary for themselves; but I certainly never did yet know a man who took an advancement in rank upon the same salary held before, who did not within a year or two come and represent that he wanted a higher salary.

587. But as to our connection with those South American missions, is it not the fact that in relation to the Brazils in former years, a very large portion of the action of the Foreign Office and our representatives abroad had reference to questions connected with the suppression of the slave trade?—A great deal.

588. Those questions have now subsided?—They have subsided, as regards the slave trade, entirely; but there is a great deal going on in Brazil which those persons in this country who take an interest in matters connected with slavery think ought still to be watched over; I allude to the domestic slavery; the descendants of the slave trade system, which is now happily abolished, are still to be found in Brazil.

589. Is it not the fact that, in relation to the other missions in South America, a very large amount of the time and attention of the Foreign Office has been directed towards questions arising out of debts contracted by those countries towards persons in our own country?—Yes, unfortunately it has.

590. People

590. People in England have lent money to ose states, and have then come to the Foreign lice to assist them in getting it back?—We equently are appealed to to assist in regard to ans contracted by people in this country with reign states; but as a general rule we abide a dictum of Lord Palmerston's, that the Gornment is not bound to extricate bondholders this country from the difficulties in which they e involved.

591. I take it to be your opinion, from what ou have just now said, that people in this country ho choose to lend money to countries abroad, a high rate of interest, and with little security, ave no right to come to the Foreign Office to et them to collect their debts?—Of course, if ey had an absolute right to come to the Foreign ffice, right would be done to them by the oreign Office; but if you ask my view of the eory of the question, I should say that to give ound for appealing for that protection, as of ght, they ought to be able to show that the ain which they made, or contemplated making hen they made the loan, was in some way ared by the British Exchequer.

592. Practically, then, the course taken by the oreign Office is not to encourage the action of ur ministers in South America in connection ith these claims?—There is this difference: we ould, of course, authorise our minister to use is good offices on behalf of any parties as far as micable representations and expressions of goodill go; but we should not, except under peculiar ircumstances, authorise our minister to use irect official action upon those states in such ases.

593. With respect to the position which our inisters occupy in South America, and which ou think is not satisfactory, we have at Buenos Ayres a minister plenipotentiary with a salary f 3,000 *l.* a year, with a number of other secrearies of legation and second secretaries?—Not number; I believe that there are only one ecretary of legation and one third secretary.

594. There is a secretary of legation and a econd secretary, I see. The minister plenipoentiary has 3,000 *l.* a year, with a rent of 300 *l.*; he secretary of legation has 500 *l.*, and the second ecretary 250 *l.*; and then there are certain other harges, making the total diplomatic expenditure t Buenos Ayres, 4,617 *l.*?—Yes; but the mission o the Argentine Republic now extends also to Uruguay.

595. You are aware that the Argentine Republic has ministers plenipotentiary whom it ends to represent its interest at foreign courts; I think we have one in London?—He is accredited to both the English and French Governments.

596. I have got in a Return presented to the House, entitled "Reports of Her Majesty's Representatives Abroad," rather a singular statement in connection with the Argentine Republic, of the salaries paid to their ministers plenipotentiary, and I find that they pay 145 *l.* a year to their ministers plenipotentiary; to chargé d'affaires, 72 *l.* 5 *s.*; to secretaries of legation, 61 *l.* 9 *s.*; and to attachés, 41 *l.*; I do not suppose that any of us would recommend that style of salary for our own missions, but I wish to draw your attention to that, in order to show that while we pay our representatives at Buenos Ayres, something like 3,000 *l.* a year, besides house rent and other considerations, the Argentine Republic consider it quite sufficient to pay their representatives upon a very much smaller scale, for they only pay 145 *l.* per year to their ministers plenipotentiary? — I presume they pay according to their means and their interests. British interests in the Argentine Republic are much greater than those of the Argentine Republic in this country. We have got a large commerce there which requires the protection of a minister, and we have a large number of British subjects who require the protection of a minister. No subjects of another country require protection in this country in the way that protection is required in foreign countries for British subjects and British interests. Without that diplomatic protection, at a fair amount of salary, the commercial interest and the personal interests of our subjects would suffer very greatly. And it is only just lately that the North German Confederation, generally rather economical in its expenditure, has found it necessary to appoint diplomatic reprerentatives to those countries. If you will allow me to read an extract from a despatch from our ambassador at Berlin, it will bear me out very much in what I say as regards the necessity of diplomatic protection for our trade in those countries. This is what Lord Augustus Loftus says: "I have inquired of Mr. Delbruch whether it was intended to establish a paid consulate general of the North German Confederation at Lima with a salary of 10,000 dollars a year. He has informed me that the rumour which has reached your Lordship was perfectly founded, and that the Chancellor of the North German Confederation intended shortly to appoint a consul general and chargé d'affaires at Lima with the abovementioned salary. He stated that it had been found necessary to give a diplomatic character to their consular agents in South America. It was true that they had no interests in these republics but those of a commercial character and the protection of their countrymen, but it had been found that agents merely invested with a consular dignity found difficulty in obtaining personal communication with the chiefs and higher authorities in those states, and to obviate this inconvenience it had been found desirable to give to their agents in the South American Republics a diplomatic character. I may here observe to your Lordship, that several of the chambers of commerce in Northern Germany have specially petitioned the Government to appoint official agents, with a diplomatic and not merely a consular character, to the South American Republics." I quote that as showing what, in the estimation of our German neighbours, is the value of diplomatic protection in those states.

597. In your reply to my question, you have made use of the words "diplomatic protection," and "fair amount of salary," as being necessarily very closely connected, but you would hardly say that the diplomatic protection in any place depended upon the amount of salary which you gave to the minister there?—No, but the diplomatic protection extended by a minister is more influential, as a general rule, than that extended by a consul general. As I have said before, the states in South America appreciate very highly a foreign minister being resident there, holding a diplomatic letter of credence from the Queen; and as an illustration of that, I believe that the other day a soreness of feeling was occasioned in Uruguay by the suppression of our independent

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diplomatic officer who had resided there, though only with the rank of a chargé d'affaires and consul general, and connecting it with our mission in the Argentine Republic.

598. You are aware that the appointments to some of these missions are varied in rank from time to time?—Originally I believe, when the South American Republics were first established in 1825, the estimate was for a full mission. I was turning over the leaves of that same book which I have already referred to, and I found that.

599. Are you aware that taking for instance Central America, there was in 1849 a consul general who was then appointed chargé d'affaires, that on his removal in 1850 the mission was reduced to a consul generalship, when Sir Charles Wyke was appointed; that in 1854 it was again raised to a chargé d'affaireship; that then when Mr. Matthew was appointed it was raised to a minister plenipotentiary; that he was transferred to Columbia, which was raised from a chargé d'affaireship to a mission on his appointment, but again reduced when he did not go; that Mr. Matthew was afterwards removed to Buenos Ayres as minister, and the mission in Central America again reduced to chargé d'affaireship, so that there seems to have been a change half a dozen times in the course of half a dozen years?—I have no doubt that it may have been the case.

600. You have alluded to the reduction of Monté Video; can you give us any reason why other small missions should not be similarly reduced?—Simply that Monté Video and Buenos Ayres being on the same river may easily be amalgamated; but it would be exceedingly difficult to amalgamate Chili and Peru, between which thousands of miles intervene. In the same manner, in Central America, we consider that we need maintain only one diplomatic representative, while the United States have five. Central America consists of five different republics; and we have one diplomatic representative accredited to all the five. He visits them or corresponds occasionally with them; but the United States have five missions.

601. There may be a reason for that in the proximity of the United States?—Unquestionably; and that comes exactly to what I was saying the other day, that when the United States have an interest they do not care what money they spend. They spend in South America for their diplomatic missions 3,000 *l.* a year more than we do.

602. But they have very many more agents for their money than we have?—But we do not think that our interests require so many agents.

603. But we pay our agents much more than they pay theirs?—No, not throughout South America. We do so in Brazil and Buenos Ayres, and in some others of the South American States. But in Chili they pay nearly one-fifth more than we do, and in Peru they pay one-fifth more than we do, and in Ecuador they pay 140 *l.* a year more than we do; so that there is not any material difference between us and the United States in those countries, except as I have said, at Buenos Ayres and in Brazil.

604. But we have two very expensive establishments at Buenos Ayres and Brazil?—It must be borne in mind that the United States diplomacy is quite on a different footing from our own. You would hardly suppose, for instance, that the business of the United States in this country could be conducted by only two secretaries. How they do it I do not know. For a long time there has been only one secretary here. He has doubtless got through the business with the zeal and ability for which he is distinguished, but I have no doubt that his labours have been much more severe than could be reasonably imposed upon any man. I should be very sorry either to discharge the amount of business which the secretary of legation of the United States, without the assistance of a clerk, has been called upon to perform, or to impose such onerous duties upon any person belonging to our service.

605. In reference to the point which you raised the other day about having only one secretary of legation at a court, you implied that there ought to be always more than one; I wish on that subject to call your attention to a despatch from Mr. Odo Russell, in reply to Lord Clarendon. He says, "Your Lordship is also pleased to ask me to explain specially my views as to the staff which I consider is absolutely required at my mission; I can only say in answer that I have been my own staff for 11 years, and that I therefore cannot possibly do with less in the future?"—But although Mr. Odo Russell's services are invaluable at Rome he has not the duties to perform there that are performed at a mission. We have no diplomatic intercourse with Rome strictly speaking; Mr. Odo Russell, acting at Rome with the diplomatic rank of secretary of legation, performs his duties as well, as efficiently, and as satisfactorily to the public as if he were the most talented ambassador that ever served the British Crown; and I only wish that he could have at Rome the reward, the station, and the salary which are justly his due.

606. I have no doubt that he fills a very important place, and fills it with great ability; but the fact is that he has no secretary?—We have no mission there.

Monday, 21st March 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Sclater-Booth.
Mr. Richard Shaw.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, called in; and further Examined.

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607. *Chairman.*] I BELIEVE that you have a paper which you wish to put in?—Yes; it is a return showing the establishment of the French embassies and missions at the different courts; it is taken from the French official sources, and I think it may be useful to the Committee.

608. There is a statement on the account put in by you, of foreign ministers extraordinary, of 30,539*l.* for the year 1868-9; but it appears by the Appropriation Account presented lately to Parliament, that foreign ministers extraordinary were entered at 45,408*l.*; how do you account for the discrepancy?—The extraordinaries of the Persian mission now first come in to the general account of extraordinaries of the diplomatic service. But in this account of the expenditure—(*pointing to the Appropriation Accounts*)—are included the expenses of special missions and services and outfits, amounting to 14,869*l.*; but those expenses are not comprised within the class of the extraordinary expenses, properly so called, of Her Majesty's ministers abroad; and that reduces the amount to 30,539*l.*, set forth in the statement.

609. Mr. *Rylands.*] Still this estimate of extraordinaries amounts to 40,659*l.*, including the Persian?—That estimate, which includes the expenditure on account of Persian extraordinaries, was put in as showing the basis on which the vote of last year was taken, derived from the expenditure of the year next but one antecedent. It must be remembered that estimate and expenditure are not identical and convertible terms. The estimate is what you conjecture may be spent; you do not know what has been spent till you get an account of the expenditure. A great deal of confusion results from the entire change in the system of accounts and estimates which we are obliged to present under the new Exchequer Audit Act. It will all get regular in a year or two; but these Appropriation Accounts have been presented perhaps a year earlier than for the general clearness of the accounts it was desirable that they should have been presented. We have hardly had time to get them into a regular shape. Quite a new system of accounts has been thrown on all the public offices.

610. Still I may assume that during the last 20 years there has been a considerable increase in the extraordinary expenditure of foreign missions for incidental expenses, as shown in the Estimates?—Yes; and you may also assume that during the last 10 years there has been a considerable decrease, a decrease of about 4,000*l.*

611. Taking the Estimates for 1869–70, and comparing them with the Estimates for 1848-9, are you aware that the extraordinary expenditure on the French Embassy increased from 841*l.* to 3,219*l.*; Russia from 404*l.* to 1,859*l.*; Turkey from 5,270*l.* to 9,263*l.*; Prussia from 657*l.* to 1,356*l.*; Portugal from 476*l.* to 1,221*l.*, and the United States from 650*l.* to 3,520*l.*?—It is impossible for me to follow you through such a calculation as that; but I should like to give you the totals of the difference of expenditure between 1858–9 and 1868–9. After all, without going into details of that kind, you must take the aggregate expenditure. I could explain, probably, every one of those cases, if I had time to go into it; but if you wish details, the chief clerk, who is the accountant of the office, will be able, no doubt, to explain them satisfactorily. I will only deal with the general result, which is, that in 1858-9 the extraordinary expenditure was 36,818*l.*, in the following year 38,552*l.*, and, in the year 1868-9, 30,539*l.*, exclusive of telegrams and extra couriers; therefore I claim credit for a considerable and progressive reduction, as you will see, for many years past, in the amount of extraordinaries.

612. But prior to that reduction there was a considerable increase over the expenditure of 1848-9?—Unquestionably there was, because there was a considerable increase of expense in everything in the world; you would not obtain servants' at wages so low, nor would you get anything as cheap as formerly; and then you should bear in mind also, that since that time we have had thrown on us the heavy charge for telegrams, which we had not in 1848-9. I see in this Paper which I have before me, and which I will put in, as far as it goes, that in one year, 1859–60, 8,000*l.* were charged

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for telegrams alone; in 1867–8 there were 2,000*l.* charged under that head.

613. But that ought to lessen the expenditure, probably, in other departments?—I beg your pardon; not only does it not lessen, but it tends to increase it, I think.

614. However, the fact is, I understand that although you have diminished the expenditure during the last 10 years, you had materially increased it during the preceding 10 years?—Unquestionably it had increased from what it was in 1848-9.

615. May I ask whether the Foreign Office has taken steps to secure a reduction of extraordinaries?—If you will turn to the Blue Book now before you, you will find that stringent instructions on that subject were sent out to our missions generally, and to Constantinople in particular.

616. I have got the circular despatch to which you alluded before me, being a despatch from Lord Russell in 1860, in which he lays down certain regulations with respect to this extraordinary expenditure by foreign ministers; and I should like to ask you whether the regulations laid down by Lord Russell with a view to check that expenditure have been fully carried out?—As a general result, the expenditure is much less. In 1860 the net total of extraordinaries was 38,552*l.*, and in 1867-8 it was 33,607*l.*, and in 1868–9, 30,539*l.*, exclusive of telegrams and extra couriers, but, necessarily, extraordinary expenditures must vary from year to year. You can not calculate exactly what incidental expenses may arise. Take postages; they seem to maintain a very great regularity. Telegrams are much less now than they were in 1860; we have reduced by three-fourths the expenditure of telegrams. The journeys on the public service have increased; a great number of those journeys on the public service have been incurred for purposes of general utility and obtaining information in different parts of the country, and have also been incurred in consequence of what passed in the Committee of the House of Commons in 1861, as to paying the travelling expenses of the junior members of missions.

617. My object is to ascertain how far the regulations of Lord Russell have been carried out; as an instance, I will refer to the point in respect to extra copying and translations: Lord Russell says, "With regard to the charges for extra copying and translations, interpreters, attachés, and clerks, I should hope that the regulations as to acquaintance with foreign languages being now required of the junior members of the missions will shortly cause the charges for interpreters and translations altogether to disappear from the accounts; and I shall expect that every account of extraordinary expenditure in which those charges figure, shall be accompanied by a special despatch from the head of the mission, stating the names of the attachés in residence, and the reasons why the translations have not been made by them; and in regard to the charges for extra copying, I shall expect an explanation with each account in which they appear, showing the grounds on which those charges have been incurred;" can you say whether that regulation, for instance, has been acted upon?—If there is any charge for extra translations it should be explained. If a mission is overcharged with translations which its staff is inadequate to perform, permission is asked to charge the ex penses in the extraordinaries.

618. There is another point in the instructions "I have further to instruct you in each suc ceeding quarter to send home with your accoun of extraordinary expenses, a comparative state ment of the same expenses for the correspondin quarter of the previous year, according to th form which I enclose; and you will explain a the same time the grounds on which any materia excess of expenditure over that of the corre sponding quarter may have been incurred;" i that done?—That is superseded now.

619. Then may I ask in what way the Foreig Office check these accounts?—If you will hav the goodness to ask the accountant of the Foreig Office, you will get an explanation of thes matters much better from him than from me.

620. I notice in the account of extraordinaries that in France there is an allowance for fuel an light of 1,000*l.*; in Turkey, an allowance o 229*l.*; and in Persia, an allowance of 34*l.*; should like to know, as there is no allowance fo fuel and light in other missions, on what groun this allowance is made to those missions?—Th house in Paris is the property of the Britis Government, and the expense of lighting tha house is so great, that the salary of the ambassado is not equal to meet it. I remember the sum o 1,000*l.* being fixed, in the year 1853, upon a re presentation being made that the expense o keeping the house warm and lighting it was s large. It was arranged with the Treasury tha the ambassador should keep an account of hi expenses for one year, and that upon that accoun an allowance should be fixed. As far as I ca recollect, speaking vaguely, the account was abov 1,000*l.* a year, and it was compromised for 1,000 It was before I was Under Secretary that tha took place.

621. It is put here as 1,006*l.*; but what wanted to know was, why the ambassador a Paris should have an allowance of this kind whe other ambassadors have no such allowance?—I the first place, the ambassador at Paris occu pies a very large house belonging to the Britis Government, and, in the next place, the charg for keeping that house properly warmed an lighted would be too heavy for the ambassado to meet out of the salary allowed to him Whether you give him 1,000*l.* a year more fo his salary, or give it separately for that purpos it will come to the same thing.

622. It is practically the same thing as a increase of salary?—Yes, for the benefit of th public; because, of course, if you let the house for want of being properly warmed, go to ruin the repairs would involve a heavy expenditure.

623. I must direct your attention to the De spatch of Lord Russell to Sir Henry Bulwer, o the 20th of January 1860, in which Lord Russel calls attention to the great increase in extraor dinaries at Constantinople. Among other item is a charge for boats and boatmen and horse hire which was in 1846–7, 454*l.*, and increased i 1858-9 to 1,352*l.* 15*s.* 5*d.* Lord Russell ask for the explanation of that large charge for boat and boatmen, and horse hire; did the Foreig Office ever get an explanation?—I can scarcel remember, as it is so long since, whether we go a satisfactory explanation. The Secretary of Stat did call attention to the point, and the consequenc was, that whereas in 1860 that item was 1,389*l.* in 1861 it was reduced to 1,067*l.*, and in 186

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1,056 *l.*, so that the effect was to produce considerable reduction in that item.

624. But are you aware that, after that time, e charge disappears altogether from the Constantinople account?—In 1869, a charge appears 826 *l.*; in 1868, a charge of 887 *l.*; and in 1867, charge of 937 *l.*

625. There is no charge here in the estimate *anding the estimate to the Witness*)?—I really ust refer you to the chief clerk for these atters. The expense is included now in the inental expenses, I am informed. There has en a material diminution of the aggregate exnditure during the last few years.

626. With regard to Constantinople, there is considerable expenditure still for dragomans, hich comes in the charge of extraordinaries for at mission. The appointment of dragomans at gh salaries, I dare say you are aware, was stified by Lord Palmerston before the Select ommittee of 1850, on the ground that they were ry confidential persons, and were employed in mmunications of the most confidential kind, d therefore they were men of a superior class? Yes.

627. I believe that at that time a few families timately connected supplied dragomans to all e embassies, our own included?—I am not at aware of the connections of any of the agomans of other embassies, or even of our n dragomans. I believe that there was a isani in the Russian embassy, and a Pisani in r embassy. What relationship existed beeen the two I do not know, but all I know is at the Pisani family has been employed for many ears as dragomans in the British service. The evant Company formerly paid all the dragoans, and in 1825 we inherited the dragomans om them.

628. Lord Palmerston stated in his evidence efore that Committee of 1850, that there were rtain families who furnished dragomans to the fferent embassies?—But Lord Palmerston does ot say that they are all furnished from one ock. You are supposing that there is a sort of int stock company of dragomans; I never eard of such a thing.

629. I think you told us when we had the easure of seeing you before, that the dragoans had a common room for discussing these uestions?—They have a waiting room at the orte, I understand, where all the dragomans ait their turn to go in to the foreign minister, st as there is a room in our Foreign Office here the foreign ministers themselves wait ntil the Secretary of State can receive them.

630. I understand from that, that the dragoans could never be safely treated as very condential persons?—My deduction was not that; ut as a general rule I think that conversation n political matters between men in the situation f dragomans of the different embassies may inolve loose conversation, I do not mean loose in he improper sense of the word, but careless conersation on political matters, and lead to matters f business transpiring, which it would be much etter should not occur. I do not know whether have made myself clearly understood to you, ut I know that one of the reasons why the Turkish high ministers preferred communicating irectly either with the ambassador or with a confidential English secretary of the ambassador, vas that they did not come into that talking ociety, if one may use the expression, which would exist in a room full of dragomans. If you have a dozen men congregated together, each eager to pick up for his chief this and that bit of intelligence, you may get something from others it is true, but others may get something from you; and on the whole I should prefer to sacrifice getting something from them to letting them know that which they might get from us. The dragomans' room at Constantinople was, I believe, very much of a gossiping place.

631. I understood you to say that the employment of dragomans in the Turkish mission was now much less necessary than formerly?—For confidential duties.

632. They simply transact ordinary business now, I suppose?—They transact a great deal of high political business still, at least the chief dragoman does. But in former times when I was at Constantinople, the ambassador, being unacquainted with Turkish, was obliged entirely to depend for every communication with the Porte upon his dragoman.

633. Still you would not say now that they were very confidential persons, employed in communications of the most confidential kind, and that they were men of a superior class?—Yes, I would say that of them now as much as ever; I will not say that they are employed in all confidential communications, but I say that they are still employed in communications of the most confidential kind. The difference now is simply this, that while formerly the ambassador was exclusively dependent upon his dragoman, he is not so exclusively dependent upon him now, because he can go to the Porte and talk in French with the Minister for Foreign Affairs.

634. Then you think that the circumstances which you have stated to the Committee are not sufficient to justify any less expenditure on dragomans than was the case at the time that Lord Palmerston gave his evidence?—I think that you must have an equivalent expenditure in some shape or other. If you had a European secretary in the place of a dragoman, you must make his position the same or better than you would the dragoman's position; and that I had always contemplated when the attempt was made to establish a corps of interpreting attachés; I am afraid that if my views had been carried out they would have led to a much larger expenditure than is now incurred for dragomans.

635. I quite understand you to be of opinion that the high salaries which Lord Palmerston justified in 1850 on the grounds which I have quoted, are still necessary to be paid to men in the position of dragomans, although their duty is by no means so important as it was, in communications with the Turkish Government?—Unquestionably.

636. With reference to the Oriental secretary, do you consider that appointment necessary in the mission?—I do.

637. With regard to the Persian expenditure, you have given in a Return of the expenditure for the Persian mission from 1835 to 1869, but I presume that that does not include the Persian extraordinaries which we have been speaking about?—It was obtained from the Treasury, and it includes all the expenditure on account of the Persian mission, except for that year when it was under the Secretary of State for India.

638. Then it includes the amount of extraordinaries?—Yes; we obtained from the Treasury

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the actual expenses of the missions for those years.

639. In addition to the extraordinary expenses of foreign missions, certain sums are paid, I believe, from year to year for secret service?—There is a certain sum of money issued to the Secretary of State for Foreign Affairs for secret service generally.

640. The head of a mission draws upon the Secretary of State, does he not, for such sums of money as he may have expended for secret service?—He is empowered to do so.

641. Have you full information in the Foreign Office as to the purposes for which this secret service money is expended?—If any unusual amount was drawn, such information would be asked for, but if an ordinary sum were drawn it would not.

642. Is any control exercised by the Foreign Office with a view of preventing the unnecessary or wasteful expenditure of secret service money by ministers abroad?—I conclude that if an unusual sum were drawn the Secretary of State would ask for an explanation.

643. By whom is the expenditure of secret service money checked in the Foreign Office?—By myself, as Permanent Under Secretary.

644. Does the Parliamentary Under Secretary exercise any supervision over the expenditure of secret service money?—No, he does not. It is entirely between the Secretary of State and myself, but no money is issued to me from the Treasury, but only to the Secretary of State; and on behalf of the Secretary of State I issue the money under the direction of the Secretary of State.

645. The House of Commons, you are perfectly aware, vote that money for that special purpose?—Yes.

646. And the Parliamentary Under Secretary represents the Foreign Office in the House of Commons?—Not necessarily.

647. The only representative of the Foreign Office at the present time in the House of Commons is the Under Secretary; and I want to know how it is that the Parliamentary Under Secretary, representing that office in the House of Commons, has not a voice in the expenditure of this secret service money?—Because in the nature of things no explanation is given to or asked for by Parliament as to the details of the secret service expenditure. If explanations were asked for or given it would cease to be secret service expenditure.

648. Still, as I understand, that expenditure is in a measure under the control of the Foreign Office?—It is entirely controlled by the Secretary of State for Foreign Affairs.

649. You do not think that the Parliamentary Under Secretary should have a voice in the control of money voted by Parliament?—It was decided by the Secretary of State 45 years ago that the person under the Secretary of State who should be charged with the disbursement of the money for secret service should be the Permanent Under Secretary, upon the ground that he was a permanent and the other a transient officer, and that it was much better that all the things connected with the secret service should remain within the hands of a person permanently attached to the office than that they should be placed in the hands of a person liable to be changed.

650. That, practically, in reference to this matter, places the Parliamentary Under Secretary in a position of less responsibility and importance than the Permanent Under Secretary?—I do not consider that the Parliamentary Under Secretary or the Permanent Under Secretary have, strictly speaking, any responsibility in the matter. I cannot spend a halfpenny of the secret service money without the express authority of the Secretary of State. I render my own account to the Secretary of State, but it is the account of the Secretary of State which is rendered under the statute to the Audit Office.

651. The Parliamentary Under Secretary of State would have to justify an extraordinary expenditure for that service in the House of Commons, and yet he would have no more knowledge than I have of it?—Certainly; but then I presume that the House of Commons would never question the expenditure as long as we keep within the vote.

652. *Chairman.*] Are you aware what the rule is in the offices of the other Secretaries of State?—The Act of Parliament, which is called the Civil List Act, applies to all Secretaries of State, and to the Admiralty.

653. There is a certain amount of secret service money in the Home Office, for instance?—Yes, and it would come under the same regulation; I believe that it is administered by the Permanent Under Secretary in the same manner. Strictly speaking, the only person known in the administration of the secret service money, as regards the Foreign Office, is the Secretary of State. All the money is issued to the Secretary of State, and it is his account, not mine, that is rendered to the Audit Office.

654. You keep an account of that expenditure?—I keep an account of it.

655. But it is a private account between you and the Secretary of State?—Yes; but the public account is the one which the Secretary of State renders.

656. Mr. *Rylands.*] How does the thing stand in the case of the other departments; we will take the Colonial Department, for instance; I presume that secret service money might be spent in the Colonial Department?—Parliament provides for secret service money being spent by any Secretary of State.

657. But would not that bring in the Parliamentary Under Secretaries of State?—I really cannot tell; I can only answer for my own office; I should be surprised if it did.

658. You do not know whether the Parliamentary Under Secretary of State for the Home Department would be precluded from investigating the expenditure for secret service in that department?—I presume the same rule would hold there; I think that it would be a very improper thing for any Under Secretary of State to be empowered to investigate the accounts of the Secretary of State. The money is not issued to the Under Secretary, but to the Secretary of State, and it would rather be an inversion of the usual order of things to allow any Under Secretary to call the Secretary of State to account.

659. Is it not right for the Under Secretary of State to call the people to account who have expended this money?—No, certainly not.

660. Does nobody call them to account?—The Secretary of State would, if necessary.

661. Does the Secretary of State do it?—You must first prove that there is an unusual expenditure; I do not admit that there is.

662. I understood

662. I understood you to say that the control as in the Secretary of State, acting through u, as Under Secretary?—Acting through me, Under Secretary, because I draw the drafts pay the expenditure.

663. You also said that you had some check er it?—My check would be to report to the ecretary of State if I saw anything which I ought wrong, but leaving the Secretary of tate to judge if it was wrong. It is not for me call any foreign minister to account for anyiing; the Secretary of State is the sole person the office who has authority to do that.

664. Practically, you would call his attention the matter?—As I should call his attention to ything going on in the office which I thought as wrong.

665. But the Parliamentary Under Secretary of State is excluded from any voice in this matter?—Yes, under the regulation laid down by Mr. Secretary Canning. Rt. Hon. *E. Hammond.* 21 March 1870.

666. Is it a fact, that since the date of Mr. Canning no Parliamentary Under Secretary has been allowed to take part in the supervision of this money?—That is a question that I cannot answer.

667. Within your experience is it a fact?—Within my experience of 16 years no other person but the Secretary of State and myself has had anything to do with the administration of that fund. Mr. Secretary Canning considered it better that the knowledge of the details of that expenditure should be brought within as narrow a compass as possible.

The Right Honourable JAMES HOWARD, Earl of MALMESBURY (attending by permission of the House of Lords); Examined.

668. *Chairman.*] YOUR Lordship has been ecretary of State for Foreign Affairs?—Yes, vice. Right Hon. the Earl of *Malmesbury.*

669. For what period?—I served under Lord erby's Government in 1852, and afterwards in 858 and 1859.

670. I think, also, that your Lordship gave vidence before the Committee, in 1861, on this ubject of the diplomatic service?—I did.

671. Are you aware of the existing arrangeents with regard to promotion in the service, nd entrance into the service?—I believe that ome alterations have been made in the condiions, since I was Secretary of State, with espect to examinations, and details of that kind. could not give the Committee any information s to the new conditions.

672. Your Lordship is aware, generally, that system of examination has been introduced or entrance into the diplomatic service?—Yes.

673. May I ask you whether you are disposed o approve of that system?—Certainly.

674. It has been suggested, that the examinaion should be one of open competition. Should ou be disposed to approve of that?—I should ot approve of that for the Foreign Office, howver desirable it might be for some others. I hink that it is of a peculiar character, and that nen of a peculiar position, and of a certain class f education, should be appointed to the diplonatic service.

675. Mr. Hammond has expressed an opinion, hat gentlemen of a higher class of life are preerable for that service to those who would come n under open competition. Is that your Lordhip's opinion?—That is the case, certainly, in Europe.

676. You think that the service abroad would e disparaged if it were not supplied from that lass in the higher diplomatic branches?—I hink so.

677. Have you considered whether it would e desirable to make a University degree a conlition of entering the diplomatic service?—I think that having got a degree ought, as far as it goes, to be a recommendation for a man.

678. At the time when your Lordship made appointments to the diplomatic service, did that ever enter into your consideration in selecting the young men who were to enter the service?—I think not, because they were too young, most of them, to have taken a degree.

679. Did you find that there was a great pressure for admission into the service?—Yes, there was a great pressure at that time, although they were not paid.

680. On the question of salaries, does your Lordship think that the salaries are made adequate or inadequate, or more than adequate?—I do not think that they are inadequate, but I do not think that they are too high, in consequence of the extraordinary rise in prices within the last 10 or 15 years abroad. I think that the prices abroad, in Europe (I speak of Europe only), must be certainly 30 or 40 per cent. more than they were 20 years ago.

681. Have you a general familiarity with the state of things abroad from personal knowledge?—I have been abroad every year for 40 years.

682. And that is the result of your own experience?—Yes, I know it from my own experience.

683. In selecting young men for the service, did you make it any condition that they were to be gentlemen of adequate independent means, or was that question left at large?—It was left at large; I did not inquire into it.

684. Is is possible even when a diplomatic servant becomes a paid servant of the State for him to live on the ordinary salary which he receives from the public as second secretary or a third secretary?—Not as a third secretary, certainly.

685. It requires therefore that they should have independent means of their own?—Certainly.

686. That necessarily is a very considerable limit upon any general competition for such a service?—It ought to be, but perhaps it is not considered by people ambitious to have their sons put into the service; they are not aware of how expensive a thing it is, and very often they regret it, and the young men have found that they could not live on what they had.

687. Were you aware when you were Foreign Secretary of State, of complaints of inadequacy of salary on the part of those who had salaries?—Yes, some complained.

688. Was the China service established at the time when your Lordship was at the office?—It was.

689. I think

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689. I think it was established during your time of office?—It was. I sent out 12 young men, or rather youths, to learn the language. They were distributed in China, Siam, and Japan.

690. In order that the diplomatic service might be independent of the natives?—That they might be of use to their principals. Some of them have become consuls since.

691. Are you aware how that has worked subsequently?—I have never heard anything against it, and I have heard that two or three of them have turned out extremely well, and have been very useful servants.

692. Have those gentlemen been retained in the service, do you know?—Yes. One died the other day who was a very distinguished servant, a gentleman of the name of Fletcher.

693. May I ask your Lordship, generally in making selections of young men for attachés, what rule you pursued with regard to the persons you selected; were they people of whom you had personal knowledge, or were they recommended to you by those whom you could trust?—They generally had recommendations from their tutors or from clergymen who had educated them, or from some other persons. I always made somebody responsible for the appointment, besides the father of the candidate.

694. You looked to the character as well as at attainments, I presume?—Yes, certainly.

695. And you consider that essential in making selections for the service?—Very essential.

696. Is a great deal of the business which passes through the hands of these gentlemen of a very confidential nature?—It is entirely confidential; I believe they see all the despatches which pass.

697. Are there occasionally matters in which, if the business was not conducted very honourably, very large sums of money might be obtained by the disclosure of information?—Yes.

698. And therefore it is essential that a gentleman in the service should have a high sense of honour?—Yes, and a strong *esprit de corps* for the honour of the service.

699. Do you think that the suggestion of having a staff of clerks at the foreign missions, with a skilled head of the nature of the present heads, would be an adequate substitute for the present system?—I do not see how you would gain by it economically, for you must pay the clerks as much in most of the European missions as you pay the secretaries; and the clerks would probably not have means of their own as extensive as the present secretaries have. And when some very confidential business had to be carried out I should be afraid that the chief would make a difference between the two classes, which would occasion jealousy; he would not employ the clerks, but only the secretaries on such business. I do not see the advantage of it; on the contrary, I think it would be disadvantageous.

700. There has been a suggestion made of having at the larger missions a permanent officer in charge of the records, so that there might be some regular charge taken of them. Has that ever been suggested to you?—You mean, I presume a sort of keeper of the archives. I think that in the large missions there ought to be always a permanent man to take care of the papers and documents.

701. That is not the case as we understand at present?—No, it used to be so at Paris.

702. Are you aware that there is what is called a block in the promotion of the profession at present?—Certainly.

703. Have you ever considered any mea... for remedying that?—I think that the chief cause of the block is the fact that the Secretaries of State have appointed too many attachés, and filled up the service too rapidly; I think it might be relieved now in this way; I have no doubt that there are some of the secretaries and attachés who would be glad to accept consular missions rather than wait many years for a diplomatic one, and some of those might be named as soon as consular posts were open. And at the same time the block might be relieved by checking the creation of new attachés; in fact acting as you would in the army or navy.

704. You would reduce the existing establishment by degrees?—Yes, gradually, without interfering with vested interests.

705. Has any system of compulsory retirement after a number of years' service ever suggested itself to you?—No, because the diplomatic service is one in which a man, unless he is in very bad health, can go on to almost any age. There is no great physical exertion required.

706. It only requires skill and experience?—Yes, and the older a man gets the more experience he acquires.

707. Have you found in your experience of the diplomatic service that there is a considerable jealousy of the importation of strangers in a higher position into the profession; that objection is made to missions being filled up by gentlemen who have not been trained to the profession?—Very naturally, because it breaks the thread of their regular promotion.

708. What was the doctrine held by your Lordship when you were Secretary of State in that respect?—It was held that the Secretary of State always had the power to appoint strangers to missions, but it was always a very unpopular thing to do.

709. Had you occasion to do it at all yourself?—No, not to appoint entire strangers. It was a doctrine that the Secretary of State was justified in recalling any ministers or ambassadors who were of a different party from himself, supposing those ambassadors to be Peers who had voted during their tenor of office against his party.

710. Supposing, that is to say, that they were politicians and partisans?—Yes; but now that proxies are not used they could not do that.

711. I think in my recollection, and I suppose in your Lordship's recollection, the embassy at Paris was always considered an appointment for a party man more than for the general diplomatic service?—Yes.

712. When did that cease?—It ceased when Lord Cowley was appointed, I think.

713. Did your Lordship find Lord Cowley there when you became Secretary of State, and did you then continue him there?—Yes; he was considered as quite a neutral man.

714. That, in point of fact, broke the practice?—It broke the practice.

715. Did the same doctrine apply to any of the other principal missions, such as St. Petersburg, or Vienna; do you remember?—Not in my time; I do not recollect it.

716. So that, practically, in more recent times it has become more of a close profession than it was formerly?—Certainly. During the last half of

of the last century it was entirely political, and changed with every Government.

717. I think your Lordship's grandfather was sent by his political friends as a minister?—Yes; he was employed by both parties.

718. Viscount *Barrington*.] Am I to gather from what your Lordship has just stated, that you are of opinion that the diplomatic service ought to be looked upon as a profession?—I think certainly it should; there is really a great deal of technical matter to be learnt, besides experience of foreign countries and foreign courts; and I do not think that it would ever do, even if the heads of missions were strangers, to have perfect strangers appointed to the lower posts.

719. And that being the case, are you of opinion that the higher posts should be changed when the Government changes, from one party to another?—I think not; I think that the spirit which ought to be felt in that profession should be one entirely of duty, and that all party feeling ought to be eliminated, just as our commanders by sea or land are no longer political men, as they used to be; there should be a feeling that the men filling these posts in the diplomatic service are quite neutral.

720. I think I understood your Lordship to say that you did not consider the salaries were too high?—Certainly not too high.

721. And do you think that the salaries of the junior members ought to be increased according to their length of service?—I think it would be fair, and certainly desirable; I think that the salaries of many of them are too low, unless you make it a rule that no man should enter the service without a certain private fortune, and that would not be possible.

722. Your Lordship is aware that under the present system, supposing that the chief is absent from his mission, a reduction is made in his salary during that time, and a proportionate increase is given to the secretary who remains there; have you an opinion that any advantage would accrue to the diplomatic service by a change being made in that respect?—I think that to fine the principal in that manner is a most clumsy way of paying the secretaries of legation; the object of the former Committees of your House was positively to encourage the heads of missions to visit England every year; and you would find in the Report of the last Committee on this subject that they say that no impediment should be placed in the way of that. Well, it becomes a very great impediment to a man who has no private fortune of his own to have to pay what on the average is 4*l.* a day during the time of his two months' (60 days) leave; the consequence is, to my knowledge, that many of them do not avail themselves, because they cannot afford to avail themselves, of their leave of absence.

723. Mr. *Butler-Johnstone*.] Is it not 60 days' leave without deduction, and after 60 days with the deduction?—No, certainly not; there is a scale. If a minister or ambassador has 10,000*l.* a year, he pays 6*l.* a day for every one of his 60 days, and he is not allowed his travelling expenses. If he has 8,000*l.* he pays 5*l.* a day; if 6,000*l.* he pays 4*l.*; if 5,000*l.* he pays 4*l.*; and if 4,000*l.* he pays 4*l.* So we may put the average at 4*l.* a day, which makes about 240*l.* as the sum which he pays for taking his leave.

724. *Chairman*.] Besides the expense of the journey home?—Besides the expense of the journey home. If it is the opinion of the Committee of your House that they should come home every year to refresh themselves with English ideas, that is a great impediment, and I know some who from that cause do not come home. And then this sort of conversation I have heard more than once. A secretary of embassy or legation is appointed to some post, and he is asked where he is going, and he says, "To such and such a post." "Oh, that is a very bad one; that is one of the worst, because the minister never moves," is the reply; the fact being that he cannot afford to move. Or, if it is the contrary, the secretary is congratulated upon going to a minister who always takes his leave. And the present arrangement is founded also upon a ground which is not quite in accordance with the fact. I think, in their Report, the Committee say that the chargé d'affaire left behind at the post is obliged to represent. Now I do not think that he is obliged to represent; I do not think that he is put to any more expense than when his chief is present. He lives at his lodgings, if he is not married, or if he is married he does not increase his establishment; and if it is thought that he should be paid more, I do not think it fair that it should be taken from the minister. We should think it very extraordinary if when the colonel of a regiment took his leave he had to pay a major so much, and the major the captain, and so on; and I do not know any other branch of the public service, civil or military, in which such a plan is followed.

725. Viscount *Barrington*.] To turn to another subject; with regard to the smaller European missions, has your Lordship ever taken into consideration the question whether they could be amalgamated with advantage to the public service; the smaller missions, for instance, in Germany, and in the north of Europe, Denmark, and Sweden?—Denmark and Sweden I really do not think it possible to amalgamate, because it very often has happened that their interests have been directly at variance, and that they have even been at war with one another, and they are perfectly independent countries. There is one small mission in Germany, Stuttgardt, which might perhaps be suppressed, or rendered more economical by having only a chargé d'affaires at it; but I do not know any other that strikes me; I do not think it would do to turn our back upon Switzerland, although that might be called a small mission. It is a perfectly independent country.

726. *Chairman*.] It is a very important political post, is it not?—A very important political post. I may say as to information, that the two most important pieces of information that I ever received whilst I was at the Foreign Office came from the small stations, one from Hanover, and one from Switzerland.

727. Viscount *Barrington*.] Would your Lordship object to state what that information was?—I do not see any objection to stating it. In the first instance, it was when we thought that we had prevented the Italian war; the French Emperor had induced Cavour to disarm, and we hoped that it was going to be all settled amicably by a congress, but the Austrians broke through everything, and crossed the Ticino. We had the information of their intention to do that through Hanover many days before it was known to any other court. The other instance was that of information which I received from Switzerland, a month before it was known or suspected

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that the Emperor Napoleon meant to annex Savoy. They were both authentic pieces of information, and were given some time before any of the larger missions knew anything about either of them.

728. With regard to the present constitution of the Foreign Office, does your Lordship think that it is on a good footing, or that it should be altered in any kind of way?—When I was there I found everything go on very smoothly; gentlemen were extremely attentive to their business, and there was a very excellent *esprit de corps*. At times there was a great deal of work, and the office was open till eight or nine o'clock, necessarily so, and I never heard anybody grumble; on the contrary, they all worked with the greatest possible zeal and conscientiousness.

729. Is the Parliamentary Under Secretary on the same footing as the permanent Under Secretary in the office?—The permanent Under Secretary is the minister of the interior of the office; he has the entire management of the discipline of the office, and everything that goes on within the walls.

730. Do you think that any improvement could be introduced into the consular service?—I should think so. I have never studied the subject, but I know that that service might be reformed with advantage. There are places where I think consuls are not needed, and there are others where there are no consuls where there ought to be one.

731. *Chairman.*] That service would require a careful revision?—A very careful revision.

732. Viscount *Sandon.*] Might I ask your Lordship, with regard to the junior members of the diplomatic service, whether you think that it is for the good of the country that for the first four years they should receive no pay?—I do not see any objection to their not receiving any pay excepting this, that it confines the choice to rich men, which is not altogether desirable.

733. I suppose I am right in imagining that the position of an unpaid attaché is worse than it was formerly, inasmuch as formerly he was habitually boarded, you may say, at the ambassador's table?—I do not remember their being habitually boarded at the ambassador's table; that depended very much on the hospitality of the individual who was at the head of the mission.

734. With regard to the visits to England, that your Lordship mentioned as being desirable for the higher members of the diplomatic profession, would you say that it was equally desirable for the public service that junior members should visit England pretty frequently?—Yes, I think so; I think that Lord Palmerston's expression was, that they ought to be periodically dipped into the stream of English opinions.

735. At present, I think, those of subordinate rank have to pay the expenses of their journeys home and back to their posts?—I am not sure about that; the junior members, I believe, are allowed something for their journey, but the ministers are not allowed anything.

736. In point of fact, it is desirable for the public service that both the senior and the junior members should be periodically dipped into English society?—Certainly; and that is an opinion strongly laid down in your former Report.

737. And that, therefore, there should not be a virtual fine on the journey to England?—Certainly there should not.

738. With regard to the smaller missions in the German courts, are you decidedly of opinion that the service to the public of the information which comes to the Foreign Office from those courts counterbalances, in fact, the annual cost of maintaining those missions?—I believe that there is but one such case now, and that is Stuttgardt, and that must be a very small item.

739. Coburg and Dresden also?—There are no ministers there.

740. Lord Palmerston, I think, spoke very strongly on that subject, and your Lordship would endorse that opinion, I imagine?—Yes, I think that the more eyes there are the better.

741. Then with regard to the South American missions, is it your impression that the interests of this country have suffered from our maintaining those missions on a lower scale than those of other countries?—Yes, I think they certainly have.

742. The interests that we have with those countries are principally commercial interests?—Yes.

743. And those commercial interests have been growing with great rapidity during the last few years?—Yes.

744. Therefore your Lordship's impression would be that the commercial interests of a country would be better protected in fact by having the missions on a larger scale than those are?—Yes, I think so; and I think that the Spaniards are people who feel that very much; they look very much to being put upon the same footing as European states.

745. Might I ask your Lordship, with regard to what has been said of the salaries of American ministers, whether from your experience you would say that the American missions, with which you have been brought into contact diplomatically, have suffered from the low scale of remuneration that they have received, as compared with that afforded to our ministers?—I have heard complaints from American ministers here of the low rate at which they were paid.

746. Because it impeded their showing and receiving hospitality on the same footing as their diplomatic brothers?—Yes.

747. And therefore, to a certain degree, the interests of the United States may be supposed to have suffered from that cause?—Yes.

748. Of course the system of telegraphic communication has made some change in the relations between the Home Government and the diplomatic ministers abroad; would your Lordship say that on that account it was no longer necessary to have such large diplomatic staffs at the different courts?—I think that cause would act principally upon the staff of messengers and correspondents. In 1859, when the telegraphs were only in their infancy, I was able to reduce the expense of messengers by, I think, nearly 11,000 *l.* a year; but I do not know how much further that could be carried.

749. With regard to the actual staff for the missions, your Lordship does not suppose that their work has been diminished by the great extention of telegraphy?—I should think they have as much trouble in deciphering telegrams as they used to have in copying a despatch.

750. With regard to the responsibility of the ministers abroad, has it been so much lessened by the possibility of telegraphic communication from the minister at home, that you require a minister

minister of lower qualifications, and therefore of lower salary, at your foreign missions?—There is no doubt that the responsibility has diminished very much indeed, as a minister can receive his orders in 24 hours, but I do not know that that is a reason for paying him less; he has got to carry those orders out, and has also got to act in many cases upon his own opinion and judgment.

751. And I conclude that in the case of most of the ministers in the important courts, it is not so much a matter of instant action as of constant daily discretion?—Certainly,

752. And of tact in intercourse with the leading men of the various countries?—Yes.

753. So that the mere fact of relieving a minister of responsibility on the great crises of public affairs, would not make it the less necessary that he should be a man of weight and of a leading character?—Certainly not; he would have to carry out very delicate instructions just the same.

754. May I ask your Lordship whether the second time that you had the control of Foreign Affairs, you did not find that there was a considerable increase of business in the Foreign Office, from the growth of commercial relations between this country and the rest of the world?—Yes, certainly.

755. And that entailed a great amount of business, both on the Foreign Office and on the diplomatic agents abroad?—Yes.

756. There is one other question which I will venture to ask, which is, whether you have not known many serious international complications which have been likely to lead to war, but in which war has been prevented by the diplomatic action of the ministers of this country in a way which has been quite unknown to public opinion outside?—Yes, there are instances of that sort.

757. Very often transactions are going on of which the outer public are unaware, which are of vital importance to this country in preventing the probabilities of war at the very beginning?—Yes, and which require the greatest secrecy, or else they would not succeed.

758. Therefore we could not judge of the advantage of the diplomatic service to the country merely from the transactions that come to light in the public press?—No, certainly not.

759. Mr. *Arthur Russell.*] With regard to that last question, would you not say that if one war were prevented in a generation this country would have an ample return for the money expended in the diplomatic service?—Certainly it would tenfold.

760. Your Lordship said that the present block might be remedied by the promotion of the younger members to vacant consulates; could that be done without injury to the existing consuls?—I think that there are many young men fit for a consular post; and if they would accept it, and give up the ambition of going on in the diplomatic line, I have no doubt that you could find fit men.

761. I am referring to the interests of existing consuls; would not their interests be affected by the promotion of men of the diplomatic staff?—I should not dismiss any consul that was doing his duty to put them in, but as the consulates fell vacant I think it would be a way of lightening the burden of secretaries weighing upon us to appoint some of them to the posts.

762. But the vice consuls look forward to promotion, do they not?—I do not think they do necessarily; they are not all of them the same class of men as the consuls.

763. Mr. *Cartwright.*] In the event of such a fusion of the diplomatic and consular services, do not you think that the block which at present exists in the diplomatic service would be transferred into the consular branch?—No, I think not; you would lighten the diplomatic service, and, supposing the consular service to remain as it is, there are no candidates for the consular service analogous to the secretaries; you would merely fill up the vacancies in the consular service by putting secretaries in, instead of taking persons from the population at large.

764. Then your Lordship is not aware that the vice consuls enter the service with aspirations for, or with a view to, promotion generally, but you think that they are content to keep that post, and do not look to advancement?—I cannot say what they hope and expect, but many of them, who make very good vice consuls, would not do as consuls.

765. I think, if I understood rightly, your Lordship suggested the propriety of a minister, when he came home, not having any deduction made from his salary to go to the secretary of the mission?—Certainly.

766. In the event of the secretary remaining chargé d'affaires for two months, he would receive no addition to his salary, according to your proposition?—I have drawn up a memorandum upon that subject which, with the permission of the Chairman, I will leave with the Committee, and in that you will find that I would allow the chargé d'affaires some increase of salary during that period.

767. In the evidence which your Lordship gave in 1861, you expressed a very decided opinion in favour of clerks being appointed at the greater missions. I think your Lordship is still of that opinion, if I understoood your answers aright?—I think that, in the larger missions, it would be useful to have an assistant clerk to keep the archives, who should be a permanent clerk.

768. But only in the larger missions?—I should hardly think it necessary in the others.

769. Mr. *Holms.*] You have stated, I think, that you are of opinion that the mission at Stuttgardt might be suppressed?—I said that that was the only small one left, and that I did not see any very important reason why it should not be suppressed; but I do not consider Sweden and Denmark, or Brussels and the Hague, as small missions. I think them very important.

770. But do you not believe that the mission at Munich might be reduced to a position of only having a secretary of legation there under the control of our ambassador at Vienna, which is only 250 miles from it?—I should prefer having a responsible minister at Munich in the present state of Germany, certainly.

771. Do you think that it is necessary for us to maintain a chargé d'affaires at Coburg and at Dresden?—I think that there should be one at Dresden, that is nominally an independent country.

772. At Coburg do you think it is essentially necessary to have one?—I think he is useful in obtaining general information. As I said before, the more eyes there are the better, and I do not believe that it is very expensive.

773. It is only a very short distance from

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Dresden, namely, 150 miles, and only 150 miles from Darmstadt. Is it essentially necessary that we should have at a distance of only 150 miles from two points, another representative?—It is not the distance that makes the difference. You may be only 10 miles from a country, and yet that country may be as different from the country in which you are in all its ideas, opinions, position, and everything, as if it were a thousand miles off; I do not think that the distance signifies.

774. Are the American ministers, according to your experience, as well received at European courts as our own ministers?—I should not like the Americans to read my answer, but I do not think they are.

775. Mr. *Baring.*] Is your Lordship prepared to recommend any change in the present system which would either increase the efficiency or diminish the expense of the diplomatic service?—No, I do not think that the expense can be diminished to any sensible degree, doing justice to the service and to the men in it.

776. Sir *Charles Wentworth Dilke.*] Would your Lordship put Stuttgardt and Coburg on the same footing, or do you consider that Coburg is a more valuable post to retain than Stuttgardt?—No, I think not; I think that Stuttgardt is quite as valuable, if not more so.

777. I thought that your Lordship said that Stuttgardt might possibly be abolished; that you saw no great inconvenience in abolishing that post?—I do not think that the inconvenience would be very great if you kept a chargé d'affaires there.

778. Nor in the case of Coburg?—Nor in the case of Coburg. Only if you diminish those small posts, as I have said before, you diminish the number of watch dogs that you have.

779. Mr. *Kinnaird.*] Do you think it is a good thing for a minister to remain a great many years in one mission, or do you rather think it is desirable, for the sake of the service and information, that they should be moving on?—I do not think it is a good thing that they should remain a great many years in a single place. They become imbued with the ideas of the country that they live in, and that is not desirable, although, of course, they ought to understand their prejudices and not offend them. I think that they ought to be changed after a certain number of years.

780. But I think that at Coburg there has been a resident minister for a very great number of years without moving?—Yes; I know the case that you allude to.

781. Is it not rather hard upon the service when a Minister remains so long, and prevents any promotion?—If you want to get rid of him, and so lighten the pressure which prevents promotion, you must pension him, and then he does nothing, and you have to pay him for that.

782. Then, as I understand, there is no existing means of disposing of a minister for the benefit of the State, except by pension; if it had been thought desirable he might have been moved before this; you had full power to move him if you wished, in the interests of the public service?—Yes.

783. How comes it that a man has been able to retain that retirement there so long through so many Governments?—The place suited him, and I think that he suited the place, if I understand to whom you are alluding.

784. You spoke of the reduction in the expenditure which you were able to make consequent upon the telegraphic service being so improved; and I think you are of opinion that more might now be done owing to the same cause?—I could not answer as to that, because I do not know at all what the staff is.

785. Do you think that the whole system of the Foreign Office messengers, as at present constituted, is as well adapted to our times as it was to former periods?—It was altered by me very much, and they were put upon a different footing.

786. And you think that something still might be done in that direction?—I do not know what footing they are on now.

787. There was no difficulty in effecting that change, I think?—Only the difficulty in effecting all changes, that they were dissatisfied, of course.

788. But it was very much an advantage to the public service?—Yes.

789. Mr. *Eastwick.*] In making appointments to the diplomatic service, I suppose you would consider it rather a recommendation for a young man to have taken a university degree?—Yes; but then he must be older than many who are now appointed. Necessarily he must be a man of 22 or 23.

790. I think your Lordship did make appointments of that sort; I think Mr. Fane had taken his degree at Oxford?—Yes.

791. And I suppose that taking a high degree would be no disadvantage in your Lordship's eyes?—On the contrary.

792. Also the fact of a man having been at the university would be, in some degree, a certificate of his having the necessary property qualifications as far as it went?—Yes, I suppose so.

793. Does your Lordship think that it would be desirable to make a distinct line of demarcation between the consular and the diplomatic services, independent of this block that now exists?—There is a line of demarcation, but it is not a fixed line, because there have been instances often of consuls becoming Ministers.

794. But of course there would be a very different class of men for the consular service from those who are generally appointed to the diplomatic service?—Generally.

795. And the property qualification would not be required in the consular service?—In some consulates they are very ill paid, considering the prices obtaining in the countries in which they are.

796. Does your Lordship see any objection to appointing junior diplomatic officers to hold inland consularships, independently of the present block in the service?—That is what I have suggested; that some of the attachés should be appointed, to relieve the pressure.

797. In point of fact, a man entering the consular service has not the same reasons for looking to promotion in the service as a man entering the diplomatic service has?—No, there is no regular succession of promotion.

798. I think your Lordship was Minister when the superintendence of one mission in Persia was transferred to the India Office?—I was.

799. Your Lordship approved of that transference at the time?—I did; I thought it right; but I believe that it has been re-transferred.

800. Mr. *Richard Shaw.*] Your Lordship stated that there is a block in the diplomatic service,

rvice, and you suggested that the consular partment should be opened to relieve that lock; do you make that suggestion in the interest of the public service, or simply as a remedy r the block?—If you could get some of the secretaries to relinquish their diplomatic service by fering them consulates, I believe that there ust be men in the diplomatic service perfectly to fill those posts, and the country would be ually well served by them as consuls, whilst would relieve the block of which you speak.

801. But are not the duties of the two departents separate and distinct; is not the consular partment essentially commercial, and the diploatic essentially political?—I think that there nothing in the usual consulships but what any ntelligent secretary who had had some experince of business might perfectly well carry on.

802. Are not the examinations for admission the different services distinct?—Now, I beeve, they are.

803. Are you aware that the Consular Comittee of 1858 reported specially against the uggestion that you have just made?—No, I was ot aware of that.

804. Would not such change be opposed to all revious practice?—The converse, as I have told ou just now, has been done; that is to say, a onsul has been promoted to the diplomatic serice; but I do not know any instance of an ttaché being sent to a consulship.

805. But are not those instances of consuls eing appointed to a higher service of very rare ccurrence?—I think there are several such ases.

806. Would not the effect of your suggestion be to stop promotion in the consular service?—No, I think not.

807. Is it not natural to suppose that a gentleman who has accepted the appointment of vice consul at a small salary will expect in the course of time to be rewarded by one of the higher appointments in the consulates?—And some of them are; but it would mislead you if I were to say that a vice consul, because he is a vice consul, is fit to be a consul. That is not the case.

808. That may be true, but is it not natural to suppose that the vice consuls hope to gain promotion if their services and their intelligence are sufficient to justify their promotion?—In his own mind, no doubt, if a vice consul thinks he is fit for it, he hopes to get it; but the Secretary of State would not necessarily be of the same opinion.

809. But would not the effect of adopting your suggestion of the introduction of attachés to consulships have a tendency to stop that promotion?—No, I do not think so.

810. If you appoint attachés to consulships you introduce fresh blood into the service; would not the effect of that be to stop the promotion of those already in the service?—But you must take fresh blood now. If two or three consulships become vacant fresh blood must come from somewhere.

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811. But if the vice consuls are fit to be promoted, and are promoted, you get fresh blood by appointing fresh men to the vice consulships?—You are going upon the assumption that the vice consul should always be promoted to the consulship.

812. No, I do not say that he should always be promoted, but I go upon the assumption that there are a great number of our vice consuls receiving now salaries of 400*l.* or 500*l.* a year, who in course of time and from experience would be fitted to discharge the higher duties of consuls, is not that so?—They are constantly promoted.

813. Then I ask you the question, if you relieve the block in the diplomatic service by introducing attachés to consulships, would that not in effect be stopping the promotion in the consular department?—You would aid the promotion in the diplomatic service, and I suppose that you would economise to a certain degree in that service, but at the same time the country would not at all suffer from your putting an attaché into a consulship instead of taking a man out of the population for the purpose.

814. Do you not think that it would create great dissatisfaction amongst the consular servants of this country?—I do not see that their dissatisfaction would be greater than the dissatisfaction that now exists in the hopeless state in which the attachés are now, in the diplomatic service. It is only by some means of that sort, I think, that you can relieve the present block, unless you buy out the secretaries, and that would not be economical.

815. But the block in the diplomatic department, I understood you to say, had been caused by an excess of appointments?—I think that that is one of the reasons.

816. If we had a cessation of appointments now, would not the block be relieved in the course of time?—Of course it would.

817. Do not you think that that would be a much more just course to take than to attempt to relieve the block in the diplomatic department at the expense of the consular department?—I think that the best way would be to stop the appointments in the diplomatic service for a time, and if it was found practicable to reduce the diplomatic service in the way which I mention, it might be a benefit to the country.

Thursday, 24th March 1870.

MEMBERS PRESENT:

Mr. Baring.	Mr. Kinnaird.
Viscount Barrington.	Mr. W. Lowther.
Mr. Bouverie.	Mr. Otway.
Mr. Butler-Johnstone.	Mr. Rylands.
Mr. W. Cartwright.	Mr. Arthur Russell.
Sir Charles W. Dilke.	Viscount Sandon.
Mr. Eastwick.	Mr. Richard Shaw.
Mr. W. H. Gladstone.	Mr. Frederick Stanley.
Mr. Holms.	Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable Sir HENRY GEORGE ELLIOT, G.C.B., called in; and Examined.

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818. *Chairman.*] YOU are Her Majesty's Ambassador at Constantinople?—Yes.

819. You are at home on leave at present?—Yes.

820. On that question of leave, have you anything to say to the Committee?—I think that our position has been very much improved by the late regulation; but I do not exactly see why there should be the distinction that there is between the chiefs and the juniors with regard to running two years' leave into one. I do not see why we should be limited to one year's leave, or why we should be deprived of all time allowance for our journeys.

821. Will you explain the distinction between the chiefs and the subordinates, to which you are referring?—Any secretary who remained more than two years at his post would be entitled to four months' leave from Constantinople, and would be allowed 30 days' travelling time, making altogether five months, you may say.

822. He is allowed to throw two years' leave into one?—Yes, and is allowed time for travelling, a month or 28 days. Now, if I were to remain five years or 10 years at my post, I should be entitled to 60 days, including the whole time that was taken up in travelling, which you must put down at a month in the case of a man travelling with a family. I can hardly go to Constantinople in much less than a fortnight; so that I should only get in England about 30 days' leave, with a deduction from my salary of what is necessary for the chargé d'affaires; after that I should be put upon half-pay.

823. If you got the permission of the head of the office to the prolongation of your leave, then you are put on half pay?—That is the regulation at present.

824. What you would suggest is, that the heads of missions should be treated on the same footing as the secretaries in respect of leave?—Yes, I think it would be but fair.

825. Are you aware of any public reason why there was a difference made originally?—I imagine that the public reason was that there used to be a grant for the diplomatic service, and that the fine that was imposed upon the chiefs for being away from their posts went rather to add to that sum, and it was worth having; I believe that was the reason of it. When you are at a distance from home any deduction comes very heavily upon you. You certainly cannot travel with a family from Constantinople back to England for less than 200 *l.* to 250 *l.*, so that the two journeys come to 500 *l.*, independent of any deduction of salary.

826. You are also liable to deduction for the chargé d'affaires?—At all times; even from the first day of your departure you suffer that deduction.

827. How long have you been in the profession?—I began as *précis* writer to Lord Palmerston in 1840, and then I was appointed paid attaché at St. Petersburg in 1841. I have been close upon 30 years in the profession.

828. The change which has been made of having secretaries instead of attachés, and paying them at a certain period of their service, has been made during your experience?—Yes. The great change that was made was, not in altering their titles (for that was of very little importance), but in giving them commissions as second and third secretaries, which in my own particular case would have had a very decided effect; for when I had been 20 years in the service, in consequence of having been a paid attaché instead of a second secretary holding a commission, on the suppression of the mission at Naples at the time of the revolution there, I was for three years out of the service altogether, during which time I neither got pay nor pension. There was Mr. William Stewart, who was my secretary, who had been also a long time in the service, and he was in the same condition.

829. The time would count for a pension, would it not?—The time that we had served as attachés, not holding commissions, did not count for our pensions, and therefore neither of us was qualified. I had not served, nor had he, 15 years from the date of the first commission.

830. If you had entered under the old arrangement, you would have been 15 years longer in qualifying?—No; under the old arrangement, in two

two or three years I should have been due for my pension.

831. Has there been a change in the character and nature of diplomacy since you joined the service, in the way of its becoming more of a close and definite profession?—It is much more a close profession in this sense, that since the examinations were established, we have lost what I think was the advantage of having a number of young men coming into it, who did perfectly well for all the copying work and the earlier branches, but who had no intention of going on to the higher branches; the result being that the promotion among those who meant to make it their profession was at that time much more rapid than at present.

832. A great number of gentlemen became unpaid attachés then, who never intended to follow the profession?—Yes, and therefore those who went in with the idea of following the profession had fewer rivals.

833. The change in that respect has crowded the entrance to the higher positions?—Yes, very much, and made promotion a great deal slower.

834. Do you think that it was a desirable thing to have a number of young gentlemen in the profession who did not intend to follow it up, and were therefore more or less idlers?—Yes, I think on the whole it was an advantage; I think that they did the work that they were called upon to do perfectly satisfactorily, and that you got gratuitously a great deal of work that was done quite willingly.

835. Now the examination practically chokes those all off?—Now the examination chokes off those who do not mean to make it their permanent profession; but I think that that might be rather remedied by altering the system of examination.

836. In what way?—I should be very much disposed to make the examination in the first instance very light, almost nominal; I would confine it to French and ability to write a good hand, and of course to write English properly.

837. You consider French essential?—I consider French essential for anyone, even for the lowest possible rank. Then after that I should have the real examination at a later period; but I should try to put it back as far as possible; in fact, till the men were likely to become second secretaries, and without requiring it for the third secretaries.

838. Your view, then, would be to test a man's attainments in the profession?—Yes, to test his attainments in the profession, and if possible to get rid of some of the incompetent men that you must have entering all professions. And I would try to make that examination as real as possible, and not give men time as at present to come home and prepare for it, which means to cram.

839. What takes place now in regard to that?—A young gentleman is told that he is to prepare for examination, and he gets three months' leave generally, when he comes home for the express purpose of cramming, and goes to a professional crammer, who puts him in the way of being able to get through his examination. I would try to make the examination real, if I possibly could.

840. You would take a man more upon a sudden, and then test his knowledge of the business of the profession?—Yes. He probably would have no chance of being made a second secretary till he had been eight or ten years in the profession. I would say that at the end of six or eight years, or any period that you choose to fix upon, he should be liable to have to come home and pass his examination. I would call him home and put him through it without any warning whatever.

841. If he could not get through that test, you would shelve him, I suppose?—Then I would shelve him; and very likely those who were conscious of being incompetent, and were not disposed to take the pains that they ought to take, would voluntarily make way for better men below them.

842. What is your opinion of the general effects of the examination, apart from the shutting out of a number of gentlemen who formerly entered the profession, as to the qualification of those who pass it?—I think that there is very little difference in the qualification except as to languages. They are much better in their French now than they used to be.

843. As regards class of life, I presume that the men are very much the same as they were before?—They are very much the same, because they are taken from exactly the same class of life.

844. They are nominated by the Secretary of State?—They are nominated by the Secretary of State, who naturally takes them from among people with whom he has some acquaintance.

845. As the head of the diplomatic service of Constantinople, you have the superintendence of all the Eastern consulates, have you not?—Yes.

846. How many consuls are there under you?—Taking consuls and vice-consuls, I suppose that there are about 50, but I do not know the exact number.

847. Do these persons correspond directly with you?—They correspond directly with me. They write direct to the Foreign Office also, but they send a copy of their despatch to me, or they write direct to me and send a copy of their despatch to me to the Foreign Office. It is done sometimes one way and sometimes the other.

848. Do you get a copy of every letter sent by them to the Foreign Office?—Yes.

849. Whether it involves the transaction of business with the Porte or not?—Yes, everything of importance.

850. Is there a large amount of business with the Porte consequent upon that correspondence?—There is a great deal consequent upon it; our commercial business is very heavy at Constantinople.

851. Could you give any general idea of the proportion of commercial business to the political business?—I suppose that last year I probably wrote to the Foreign Office between 500 and 600 numbered political despatches, and about 100 commercial ones; I should think that it was within 20 or 30 of those numbers.

852. Have you ever considered the question of the partial amalgamation or interchange of service between the consular and the diplomatic services?—I do not think that the amalgamation would be advantageous; I should not like to debar the Secretary of State from the right of taking a man who in the consular service had shown himself to be a very capable person, and putting him into the diplomatic service; and I should be very sorry indeed to see any rule drawn which should prevent him from doing so, but I do not think that it would be advantageous to

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make it a practice. The lines of duty in the two services are very distinct, and it would not be advantageous to have a consul trying to bring himself into notice as a political writer. In the French service, where it is done a great deal, I have seen that effect produced; a consul thinks that he will make for himself a political name, and he writes with that object, and, I think, impairs his usefulness as a consul in consequence.

853. He comparatively neglects his commercial duties?—Yes; he takes himself out of his proper line.

854. Do they interchange much in the French service?—They do so more than we do; and it is only fair to say that some of their very able men in the diplomatic service have been taken from the consular service,

855. I think that in our diplomatic service there are some gentlemen who have been consuls?—Yes.

856. We have had a suggestion made to us that it would be possible to place some of the attachés who are not likely to go up in the diplomatic service in consular posts; do you think that that would work?—I think that in a report which I believe is printed, I made a suggestion that for the future it might be possible, in the new appointments, to let the attachés understand that if they were found to be more fitted for the consular service, the Secretary of State should have the right to draft them into that service; but you cannot do that fairly with those who are now in the service, because they understood that they were going into the diplomatic, and not into the consular line.

857. In that answer to Lord Clarendon's circular, you suggested that there might be a reduction amongst the diplomatic staff, you think, in the subordinate departments; do you think that that could be carried out?—I think that the best way of preventing a block is by keeping your junior staff as low as it possibly can be kept, being efficient at the same time; and certainly my experience would lead me to believe that at a great many missions the staff is higher than is required if the men are kept really at work.

858. You have been at St. Petersburg, I believe?—I was an attaché at St. Petersburg between seven and eight years, and certainly for one whole winter (which in Russia is rather a long period). I was the only working hand.

859. How many hands were there?—There were nominally two others, but they were both absent the whole winter.

860. And were you able to keep the work under?—Yes, but then the work has very much increased since that time; I am not saying that three would be too many now.

861. Still at that time one efficient subordinate did the work of the mission?—Yes, it was hard work, still it could be done perfectly well.

862. Probably it was not harder work than you had to do as précis writer in the Foreign Office?—No, certainly not.

863. Have you not been at Vienna also?—I was secretary of legation at Vienna, and there there were great complaints of over-work (I think there were four juniors besides myself); and I never thought that those complaints were very well founded. I recollect saying to them, "Now, if you will attend a certain number of hours" (which was not a very great number), "coming regularly at such a time in the forenoon, and go away at such a time in the afternoon, I will guarantee that with your present number you shall each have a holiday in rotation once a week."

864. Was that arrangement made?—No, I believe that they preferred going on in the same rather irregular way as before.

865. I think that you have been at the Hague?—Yes, at the Hague the work was certainly not more than one man could do. But the difficulty, if you have only one in a place where there is not a great deal of work, is with regard to the leave, because you must give that man leave of absence. I think that that could perhaps be met by sending some one either from the Foreign Office or from some other mission where all the attachés happen to be present, to fill up the place during the two months' leave that the secretary might be entitled to. I should not think that it was necessary to keep two men to do the work of one, because that one man has a right to two months' leave in the year.

866. Do you think that it would be possible to have a sort of flying staff to go about where there was extra work?—I should think it would be an economical arrangement, and an equally efficient one if they were to have enough men at the Foreign Office to be able to detach some for special services. They might calculate that there are so many missions at which one man will be absent for a time, and they might provide persons that could be spared from the office to go to those missions when necessary.

867. You agree, I understand, that there is a decided block in the service?—There is no question about that. The younger men now in the service have a prospect of being ministers by the time that they are about 65.

868. That is the best thing that a man can hope for?—That is the best thing that a man can hope for, supposing it all to go by seniority; but, of course, it does not go by seniority in the higher branches, and a man may save perhaps five or six years by being selected before others, in which case he might become a minister at 60.

869. Do you think it for the advantage of the public service, that a man can only attain one of the chief posts at that age?—No, I think it a great disadvantage, because if you happen to get in your service a man of at all exceptional or superior abilities, you lose his services during the best years of his life; when I say "lose his services," I mean you employ him in a very subordinate position. I think that the seniority system has been carried a great deal too far in that respect. I think that the service has fallen off from what it was before. Formerly there was not the same distrust of the Secretary of State that there is at present. At present, if a man is passed over, there is a disposition to suppose that it is not done for the public service, but that it is done for the purpose of bringing on some favourite. The Secretary of State is afraid of that, and therefore he now promotes entirely by seniority, up to the higher branches. We used formerly to see a man who was known in the service (although perhaps not known in England) to be not fit for promotion, rise to be a secretary of legation at one of the inferior courts, and there he remained for his lifetime, and never moved; he was, in fact, shelved; he did his work there, but it was never thought necessary to put him into one of the higher places. That used to be the practice; but now the pressure

re upon the Secretary of State has become so eat, that these people who, I think, ought to main in places of very small importance, are w pushed forward to posts in which we ought have better men.

870. Speaking generally, has this state of ings, do you think, created discontent and satisfaction in the junior branches of the ser- ce?—The service is very much changed since first belonged to it. When I was an attaché d secretary, it was before the days of the oreign Office list. We scarcely knew who ere in the service; we did not know their names respective seniorities; we thought very little out it, and we took things as they came.

871. Now these things are studied?—Now ese things are studied, and the service of every an is weighed and commented upon.

872. I see that in your reply to Lord Clarendon, you state the general opinion that, as gards the salaries, the heads of missions have great reason to complain?—Not according to y experience. But then since I was in some the missions, the prices have got up very uch indeed; and whether it is from the gradual nd steady increase of prices or not, I cannot ay, but I have found that with every successive se in the profession, it was more difficult to live pon the salary attached to it, though it was much arger than the salary attached to the position I ad left. Still I have always found that I could ive properly upon my salary.

873. You were fortunate enough to begin as a aid attaché?—Yes.

874. Was your pay at that time sufficient to maintain you in a proper position?—No, not half sufficient. I should observe, that St. Petersburgh, at that time, was not nearly as expensive s it is now. My salary then was 300*l.* a year, nd I spent about 400*l.* a year in addition o that; altogether between 600*l.* and 700*l.* a year.

875. The salary of the first paid officer, the hird secretary, now is 150*l.*?—Yes; he would ot have been paid at all formerly; he would still have been an unpaid attaché. But though I think that the salary of the chief is sufficient certainly without being too much), I do not think the same of the juniors; I do not speak so much of the third secretaries, but I do think that the second secretaries, and secretaries of legation should be better paid, and more particularly if you were to make a severe examination, such as I should like to see for the second secretaries, I should, after that, let them have a very much higher salary than they have at present.

876. You would combine that, I understand, with a reduction of the number of the public servants? — I should gradually reduce the number, and pay each of the second secretaries a great deal more than they have at present.

877. With regard to the extraordinary expenses, is any allowance made for unusual and incidental expenses at the Constantinople mission?—Speaking from my own experience since I have been chief of the mission, I never received a shilling for any extraordinary expenditure which I have been put to.

878. There has been lately a great State ceremony at Constantinople; has that expense fallen upon you?—You allude to the time when the Prince of Wales was there; it fell upon me, naturally, every shilling of it.

879. With regard to the dragomans, a good deal of your business with the Porte is done through the medium of dragomans, is it not?—A great deal of our work is done by means of dragomans; it is a totally different system from that prevailing in any other European Court. We have two kinds of dragomans (and I believe all the other embassies have the same system); we have first a confidential dragoman, as he is called, who transacts your political business.

880. Is he in possession of all the secrets of the mission?—I should say, generally speaking, all. First of all he must be in possession of a great deal, and I believe that if you employ people at all in confidential places, half confidence is very much misplaced: you had better put your entire confidence in a man, and trust to him. I do not mean to say that if I were to have a confidential conversation with the Grand Vizier I should think it necessary to go and repeat it to the dragoman, but I should not conceal the state of things from him, if it were a matter in which he was at all engaged.

881. What functions does he discharge?—There are a great many communications which are constantly passing between the Turkish Government and the foreign Governments; there has been, from time immemorial, a sort of system of receiving from the Porte information of all that is going on with other Governments, and the information which they get from their own provinces, and, in fact, everything that is interesting of a political nature they generally communicate to the friendly courts; and the dragoman attends upon the Grand Vizier, or rather upon the Minister of Foreign Affairs, every day, and sees if there is any communication that he wishes to make.

882. He goes to the waiting-room, I suppose?—He goes to the waiting-room, and then he is known to be there, and he is called in, and the minister tells him that he has nothing to say to him, or he gives him some piece of information, and receives any similar communication that may be sent to him by the ambassador.

883. Is that a daily occurrence?—Yes.

884. Then he comes and reports to the ambassador?—Yes, he comes and reports; I get a daily report from the dragoman of his interview with the minister.

885. In writing, or *vivâ voce*?—In writing. Very often there are despatches which the Turkish Government have received from their own agents abroad, and they wish to let us know what they have heard; then the minister desires him to go to an under secretary and get a copy of the despatch or the substance of the despatch, and that is communicated to us; then, on other matters, I go myself to the minister or the Grand Vizier and discuss the questions that may have arisen.

886. Mr. Hammond has told us that upon questions of high policy Turkish officers of state are now generally able to communicate in French, and that there is less confidence placed in the dragoman in consequence than used to be formerly?—The dragoman has not such an important part to play since the ministers can speak French, but it is quite impossible to dispense with his services; an ambassador may go to the Porte whenever there is any business to be done, but he cannot go there simply to ask if the minister has got anything to tell him.

887. There is one gentleman appointed of that first class of dragomans?—Yes, there is one head dragoman;

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dragoman; then from the very awkward way in which business is done at the Porte, we have to employ other dragomans in a great many private cases of claims and things of that kind, of which unfortunately we have a great number; you never can get a case of any kind brought to a conclusion unless you keep a dragoman going from one department to another. The state of confusion and the difficulty of getting cases to an end, you would understand from the simple fact that every document which comes to the Foreign Office at Constantinople (not only the Foreign Office but the Grand Vizier's office and the Minister of the Interior's) is carried there every morning and removed from there every night in large boxes; it is carried to a fire-proof building apart from where the ministers work and from where all the clerks are, so that every paper is put into a box, and there are 200 or 300 porters that carry these boxes away every day, morning and evening.

888. That must make it almost impossible to despatch cases?—Yes, and it shows one why with the best will in the world business goes very slowly there; and unless you have a dragoman watching, you may say, the vagaries of each of the documents which you have to deal with, in a little time, after a few journeys backwards and forwards, it is very difficult to trace it.

889. How many of these subordinate dragomans have you?—We have four dragomans altogether; but I suggested that we could now, owing to the cession of the Ionian Islands, suppress one of our dragomans.

890. That cession relieves you of a considerable amount of business?—Yes.

891. Are these gentlemen Greeks?—Our chief dragoman is Pisani; he is of Italian origin; a Levantine.

892. It is an hereditary office, is it not, almost?—His family have been connected with the English Embassy for a great number of years. Then the second is English in his name, but I fancy that he was born in the East. The third is of Italian origin, and the fourth is the son of our late consul at Brussa, an Englishman.

893. Have you any member of the mission who is able to talk Turkish?—Yes, we have two. We have our Oriental secretary, Mr. Hughes, who is a good Turkish scholar, and can translate Turkish, and we have Mr. Moore, whose father was consul general in Syria for many years, and who is an admirable linguist.

894. Have they come into the service in the ordinary fashion?—Mr. Hughes did not; he was one of the student attachés appointed a great many years ago. He is the only one of them remaining. Four, I think, were appointed.

895. They were intended to be substituted for the dragomans, were they not?—They were, but the system did not answer, and I very much regret it.

896. You think it was a better plan?—I think it was better, but it is an extremely difficult combination that we want. You get a young man from England, and by hard study at Turkish he will be able, after a certain number of years, to translate accurately; but it does not at all follow that he is fit to be taken as a dragoman to translate at an interview with the Sultan; the colloquial Turkish and the written Turkish are so totally different. And a very good dragoman in some respects, a man fitted to translate well at a conversational interview, might be quite incompetent to translate a Turkish document.

897. A good interpreter might be a bad translator, and *vice versâ*?—Yes.

898. What do the French and Russian missions do; do they follow the same system?—Yes, they follow the same system. The French recently appointed their first dragoman as conseiller d'ambassade, who takes the place of his chief when he is away. But I do not think that it is at all an advisable proceeding; the dragoman has not a position in the country which makes him sufficiently respected as the head of the embassy.

899. They do not occupy the same social position as the other members of the mission?—They are not looked upon in the same way.

900. Have you a large mass of archives at Constantinople?—Well, fortunately about 20 years ago there was a fire that burnt everything in the embassy, so that our archives have only accumulated since that time.

901. Have you anybody placed especially in charge of them?—We have a keeper of the archives, a most valuable public officer, who has been many years in that position.

902. I suppose he is more in the character of a clerk than of an attaché?—By the regulation he is the head of the chancery, and directs everything; he apportions out the work to the others.

903. Did he come in as an ordinary member of the mission originally, or as a permanent officer?—He is a permanent officer; he has been permanent for nearly 50 years.

904. If anything were to happen to him, what would be done?—We should have to try to find somebody to fill the place. We have a very large number of documents put into our hands every year, and it requires a permanent officer to know where the papers are which are 10 or 15 years old.

905. I suppose you are constantly wanting to refer to former documents?—Yes.

906. Has he anybody in training now under him to learn the business?—No. If he were to go it would be a great inconvenience till his successor made himself really master of the state of the archives.

907. Is he paid out of the extraordinaries?—He is paid out of the extraordinaries as all our dragomans are also. Our extraordinaries are very high, partly owing to the number of salaries that are paid out of them; the dragomans, this keeper of the archives, the chaplain, and the doctor. Then there is another charge under the extraordinaries for the keeper of the military cemetery on the Bosphorus, and various others.

908. Do you communicate a great deal with the Foreign Office by telegram?—Yes, whenever there is anything that it seems important that they should know sooner than they could learn it by post.

909. Do you think that that facilitates business very much?—I think that the telegraph is very far from facilitating business. I think that it makes business much more difficult than it was formerly.

910. How so?—Because formerly you had a despatch expressing the views and opinions of the Foreign Office upon a complete case. Now very likely the Secretary of State has to form his opinion upon imperfect telegraphic information that you may have sent yourself or that somebody else may have sent, and he writes a telegram

telegram which you have to understand; and I think even persons who receive private telegrams find how very difficult it is to understand accurately all that is intended to be conveyed by them. The responsibility of ministers is very much diminished of course, but I think that the difficulty of carrying on business is greater now than it was before.

911. To go back to a previous question; speaking from your own experience of other large missions, do you think it would be a good plan to have a permanent officer in charge of the records in the nature of a clerk?—I think that in the large missions it would enable you to diminish your diplomatic staff if you had a permanent officer. There is another way by which I think perhaps you might also arrive at the same result to a great extent. In all the larger missions I believe the minister or ambassador wants a private secretary, and I do not exactly see why he should not have an allowance for a private secretary, as a Cabinet Minister has in England, and take one not in the service.

912. You mean one personally attached to him?—Personally attached to him. At present we generally take somebody belonging to the embassy, and that naturally withdraws him from his ordinary work.

913. I suppose you take one of the junior members of the embassy?—I have one of the second secretaries.

914. His pay would be 300*l.* a year?—Yes; if you allowed a minister 300*l.* a year for a private secretary, with the understanding that he is not to take anybody belonging to the embassy, I think then you might reduce your permanent staff.

915. Take Constantinople, could you reduce the number of the second secretaries if you had a private secretary?—Yes; it would be no economy, and it is not as a measure of economy that I propose it, because he would have as private secretary the same pay as a second secretary, but it is merely to prevent the block, and to relieve the service.

916. Is there anything else that you would like to mention to the Committee?—Nothing else that strikes me at this moment.

917. Mr. *Rylands.*] Is it your opinion that in the larger missions a plan might be adopted of having permanent clerks to do the ordinary routine work of the mission, such as the copying?—I think that the ordinary copying is as much of a confidential employment as anything else that a clerk can have to do, and I think that you must have people in whom you can repose entire confidence; there is nothing in the work itself that could not be done by a person of very ordinary acquirements.

918. Is it your opinion that, in the case of the unpaid attachés, from your practical experience, if they were paid salaries, you would be able to get regular work from them?—I never could find any difference between the work of the paid and that of the unpaid attachés; I think the unpaid attachés worked quite as satisfactorily as the paid. I must say for them, that I have often heard them say that it was hard to remain so long without being paid, but I never saw any backwardness in them in doing their work.

919. I think I understood from you, in reference both to the paid and to the unpaid secretaries and attachés, that there was a want of regularity of work in the large missions?—There is a great amount of irregularity, and partly, no doubt, it is the fault of the system, there not being a very strict discipline over them, but partly, also, it is in consequence of the way in which work comes into the embassy. I have known three or four days pass, at large embassies, without anything coming in at all, and then on the following day there might be an influx that would keep all hands at work. But still it was not generally necessary that all that should be cleared off at once, and by more regular attendance they could get through it with a less staff. I ought, however, to say that those who are at the head of those missions are much more competent to speak on that point than I am; I can only speak of those I have been at, and of the time when I was there.

920. Do not you think that the fact that secretaries of legations are changed so much from one post to another, interferes with that knowledge of the documents in the chancery, which would otherwise be possessed by the secretaries of legation?—I think it is a very great advantage that they should be frequently changed. I think I gave that evidence before the last Committee, that the more they are changed the more useful public servants you make of them. Occasionally you put a minister to inconvenience from having a new hand brought in, but as far as the service is concerned I am sure it is a gainer by a man getting experience in as many courts as possible.

921. Still the effect would be that if a secretary of legation remained at a post for some considerable period, he would be likely to know better the state of the archives, and the papers contained in them?—No doubt the longer he stays in a place the more he ought to know of the state of the chancery, and of the place. But with regard to the changes, the secretaries of legation are generally kept a considerable time at one post; the two years' system only applies to the juniors of the chancery, and the next man under the minister generally stays a very considerable time.

922. I think I understood you to say that if a permanent officer were appointed to keep the archives in the principal missions, it would render it possible to reduce the number of secretaries of legation?—That is my opinion.

923. Would it reduce the second or third secretaries of legation?—I should think that it would reduce the juniors; but you must have your two classes in proportion to each other, so as to give them fair promotion. It depends upon what proportion you think proper to keep them in.

924. At present, where there is no keeper of the archives, whose duty would it be to attend to that?—The senior second secretary's.

925. With regard to the extraordinary expenditure in Constantinople, as to the salaries of the dragomans, I think I am right in supposing that those salaries have not been reduced during the last 20 years?—They have not been reduced, and I should be very glad if they could be increased, because I see a prospect of our losing some of our very best men from the prospect of their getting much more advantageous terms from other parties. It is an alarm that I feel very strongly.

926. The head dragoman, Mr. Pisani, to whom you have alluded, gets, how much?—The head dragoman gets, I think, 900*l.* a year.

927. We are clearly to understand from your

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evidence that, notwithstanding the communications between the Porte and the ambassador being very much more frequently now in French, the necessity for an extremely confidential dragoman is the same?—In my opinion just the same as ever. I do not think it is possible to do without him. In my report I have said that I do not think that there is a necessity both for a confidential dragoman and for an Oriental secretary; I think that the work could be done with one.

928. You think that we could dispense with the Oriental secretary, keeping up otherwise the present staff?—I think that you could dispense with one or the other. But then we have always to remember in an important place like Constantinople that you must not only make an arrangement that will work for to-day or to-morrow, but that you must have something to fall back upon in case of accident. If you had not Mr. Hughes, for instance (not that I suppose that there would ever be a question of dismissing a man who had been 20 years in the service); Mr. Pisani is a man about 65 or 66, I should think. You do not know how long you may be able to carry on the business with him; it is very severe. He has to go five days a week to the Porte, either riding over those wretched roads in the winter or going in the summer in his caique, whatever the weather is, and a man of that age may break down at any time. If you were to try to get rid of Mr. Pisani that would be no economy, for he is entitled to a pension, I believe, within 50*l.* of the amount of his salary.

929. But supposing that a vacancy occurred in the position of Oriental secretary?—I should not think it necessary that the two places should be filled up.

930. With regard to the other dragomans, one junior might be dispensed with, you think?—Yes.

931. And also one of the second secretaries?—Yes.

932. Mr. *William Lowther.*] With regard to the subject of pensions, formerly a man who became attaché had no claim at all to a pension till he became secretary?—No, his claim for a pension dated from the date of his first commission, which he only got on being made secretary of legation.

933. Do you know any cases of men remaining nine or 10 years attachés, formerly?—I can recollect that that used to happen in the earliest periods. I recollect men that were in the service when I was at school that were eight or 10 years attachés.

934. Then, after being in the service 15 years, a man has a claim to a pension?—A man is qualified for a pension.

935. Therefore, you having been made secretary in 1848, if you had retired in 1863 you would have had a claim to a pension?—If I had retired in 1863 I should have been qualified for a pension.

936. I think that at one time there was a clerk kept at Naples, was there not?—Yes.

937. How did that system act?—I am afraid the clerk did rather more than his share of the attaché's work at that time.

938. Do you think it would be safe to trust clerks in Russia?—I should be very sorry to see it tried. To show the importance of getting people that you can thoroughly trust, I may say that I was told once by one of the staff of the embassy to which I belonged (it was at a time when most important negotiations were going on), that he had had a direct offer of 10,000*l.* a year for giving early information.

939. Mr. *Cartwright.* Was that in Russia?—No, it was not in Russia.

940. Mr. *William Lowther.*] Do you know of any instances of confidence having been betrayed by any subordinates?—Certainly no instance of that has come within my own knowledge.

941. Are the despatches in your archives bound?—Yes.

942. Bound every year?—We had them bound last year; I do not think that they had been bound for about three years previously, and I think we bound four years then.

943. And they are charged in the extraordinaries?—Yes.

944. Do you ever destroy any papers?—No, at least nothing that there is any prospect of requiring again.

945. There seems to be an idea that the use of the telegraph diminishes the work of the head of a mission; do you think that it increases it or diminishes it?—I am sure it increases it; I do not think that that admits of a question.

946. If you have more work, have you not also a greater amount of responsibility?—No; I think you have less responsibility, because now if you are asked to act in a particular way, you can refer to the Secretary of State to know what you are to do; whereas formerly, in many cases, you would have had to decide for yourself.

947. You generally make an application by telegraph in cipher?—Yes; we make an application by telegraph in cipher, and say that such and such things have been said, and ask what are the views of Her Majesty's Government.

948. And you receive an answer to that in cipher?—Yes.

949. And are the questions always intelligible this side, and the answers always intelligible your side?—No; I think now and then there are questions and answers that are not exactly what they would have been if the despatches had been fully written, not so distinct, certainly.

950. With regard to private secretaries, I think some years ago a rule was made that no man should be a private secretary who was not an attaché?—I am not aware of such a rule.

951. You think that now it would be a good thing to have private secretaries who are not attachés?—I think that if you had private secretaries in the four or five larger missions, it would enable you to diminish the permanent staff, and so give a fairer chance of promotion to those who remained in it.

952. But then would there not be continually questions arising between the private secretary and the junior secretaries, as to whether a thing was their business or not their business?—I do not think so.

953. Your experience does not tell you that that has given rise to quarrels and jealousies?—No; I think among gentlemen you see a very general disposition to pull well together.

964. With regard to increasing the salaries of the dragomans, have you ever asked the Foreign Office for any increase, or put it before them?—I have suggested an increase.

965. And they did not see it in that light?—They have not been able in all times to make the increase.

956. You do not know whether the Foreign Office has applied to the Treasury on the subject?

ject?—I do not know anything of what passes between the Foreign Office and the Treasury. I receive the orders from the Foreign Office, and they keep their secrets to themselves.

957. You propose that the staff at Constantinople should be reduced, I think, by a dragoman?—A dragoman and a second secretary to be reduced, and the Oriental secretary or another dragoman when an opportunity might offer.

958. You look upon these times now as calm times, do you not; not very much going on?—Yes, they are calm times.

959. But in time of any great crisis, would you not have to increase the staff?—We might have possibly to increase the staff, but then a time of crisis would throw a great deal of additional work upon the head of the embassy, and I should expect the juniors to be prepared for some extra work too.

960. But could a dragoman be found then?—I think the reductions I suggest would leave us a sufficient margin. I could get people competent to act as dragomans on an emergency.

961. Mr. *Otway.*] You are the ambassador at Constantinople?—Yes.

962. You have been engaged lately in delicate negotiations with the Porte sometimes, have you not, on political questions?—Yes, on various questions.

963. You have had personal audiences of the Sultan?—Frequently.

964. His will is very powerful in Turkey in regulating political matters?—Yes, he can do anything he chooses to do.

965. Does the Sultan speak French?—No.

966. You could not have had those audiences with the Sultan by right, except in your position as an ambassador?—Except as an ambassador I should not be entitled to ask for an audience, I might beg it, but I could not ask for it; and he might make an excuse if I were not an ambassador.

967. So far as you have been able therefore to exert influence in the councils of the Porte, you have done so in your capacity of ambassador?—Yes.

968. The other Great Powers also maintain ambassadors there?—Within the last few years both Russia and Austria have raised their representatives to the rank of ambassadors; the Russians did it about four years ago, and the Austrians about two.

969. With regard to the dragomans, is it necessary that the dragoman should go every day to the Porte to ascertain whether the Porte has anything to tell him; is that conducive to the service?—Yes, I think it is extremely conducive to the public service; all Orientals, I believe, have a habit of speaking more unreservedly to the people whom they see daily; and I believe that many a minister will say things to the dragoman which he knows the dragoman will repeat, and which he means the dragoman to repeat to his chief, which he would not say to him face to face. I am quite sure that that is the case with a great many of the Turkish ministers.

970. You apply that especially to the Turkish minister?—Yes.

971. I ask that question because the practice does not prevail at any other embassy or mission of sending somebody to the ministers of state with the view of acquiring any information that they may like to give them?—Not daily, as we do; we send daily; and if we did not do so, but were to try to do without our dragomans, we should certainly be the worst informed embassy in Constantinople as to all that was going on both in the country and in foreign negotiations.

972. Still I conclude that if these duties could be performed by Englishmen in the diplomatic service it would be preferable?—I should decidedly prefer it.

973. Is there any difficulty inherent in the Turkish language which requires that we should have a Levantine, or some man other than an Englishman, to carry on intercourse both colloquially and by writing with the Porte?—No, there is no reason for it; only you must educate an Englishman specially for the purpose; and if you do that, you must be prepared to pay him during a considerable appenticeship, in which he will be simply learning his business and qualifying himself for the appointment which you mean to give him afterwards; and he must not only learn to be able to translate, but he must learn the colloquial Turkish so as to be able to interpret between you and the Sultan, or between you and the Turkish minister.

974. But I presume that there is no difficulty in the Turkish language that could not be mastered by an Englishman, as the Chinese and Japanese and other languages have been entirely mastered by under secretaries?—No doubt it could be mastered, and that was the intention of the student attachés that were appointed some 18 or 20 years ago, and certainly some of them became most distinguished linguists. Lord Strangford, was one of the most distinguished linguists we have had.

975. Mr. Hughes and Mr. Moore, whom you have mentioned, are both thoroughly competent to translate Turkish?—Yes.

976. I do not wish to individualize, but you no doubt have heard that there is an impression that the suits which British subjects may have with the Porte can be advanced or retarded according to the zeal or goodwill that the dragoman may show in his conduct of the business?—There is not a question about it. It depends very largely upon the dragoman. I should wish especially to be guarded against being supposed to say anything against our own dragoman; but the dragomans as a class do not stand high at Constantinople, and there are some nations which have dragomans who would never conduct a case unless they got a per-centage on what was to be got out of it.

977. A system such as that must cause entire want of confidence on the part of honest suitors who would not descend to any acts of that kind?—There are very few such, I am afraid. I recollect many years ago, in a country not celebrated for the administration of justice, asking a member of one of the chief English mercantile houses there about the commercial courts, and whether he had much difficulty in getting a case fairly decided, he said, "Well, when I first came here I spent a great deal in taking the dearest and best advocate, but I very soon found that I was much better to pay it direct to the judge."

978. Although that is an anecdote, that is amusing and may be true; it is not a satisfactory state of things, is it?—No. I only mentioned it in order to show that English houses of the very highest standing do not scruple to resort to the means to which we imagine that honest suitors would not descend.

979. I gathered

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979. I gathered that you would infinitely prefer, from your experience of Constantinople, that the duties now falling on the dragomans should be discharged by English members of the service?—I do not think that it signifies as to the duties of the junior dragoman, but as to the political dragoman I should prefer it decidedly. With regard to the dragoman whose duty it is to go pressing the private claims of railroad companies, and so on, I do not think that it is necessary to have Englishmen for that duty.

980. And it is absolutely necessary that there should be some person to fill that office; you could not have the ambassador do that?—We should never get a case brought to a conclusion. It is quite impossible for an ambassador to go from one office to another hunting up a case. You would have to keep at least three ambassadors if you did away with the dragomans.

981. With regard to telegrams, is it not the fact that the omission of a single cipher may cause a very erroneous impression of the news sent, and may cause hours of work to the deciphering clerk?—I have seen telegrams arrive that took many hours to decipher, and sometimes could not be deciphered at all.

982. So that telegrams would really if not sent with singular accuracy, largely add to your labours?—Very greatly.

983. You were asked a question with regard to private secretaries. I think you suggest that the minister should have private secretary independent altogether of the embassy, and that he should not be in the service?—I do not suggest it for the convenience of the minister at all, but simply as a means of reducing the permanent diplomatic service, among which the promotions are to be divided.

984. You are aware that there is a rule at the Foreign Office that no one may be a private secretary in the Foreign Office who is not himself a member of that office?—That was not so formerly.

985. I am not aware that it extends to the Secretary of State, but with that exception is it not so?—Formerly when I was précis writer in the Foreign Office there was Mr. Howard and there was my brother George, who was with Lord Russell for many years.

986. Do not you think that it would be a disadvantage, considering the intelligence that passes through the hands of ambassadors that any one not connected with the profession should be in a position so confidential with regard to ministers of state, as that of a private secretary?—I do not see that there would be any inconvenience in that respect. The ambassador must feel that for his own security it is necessary for him to have a person in whom he has thorough confidence. He would not be at all likely to take any body whom he could not trust. It has been frequently done. Sir Henry Bulwer had a private secretary whom he selected for himself.

987. Have they access, do you think, to all the information conveyed to the Secretary of State for Foreign Affairs?—I presume they would have the custody of the minister's private letters, which must be as confidential as anything could be. I think that Sir Henry Bulwer was in the habit of dictating his letters, and I imagine that the private secretary would be the man to whom he dictated.

988. You see no objection to that system?—I do not see any objection to it.

989. To pass altogether from this to another branch of the subject. I want to know whether you can suggest any means by which the expenditure at Constantinople might be reduced. I allude to the expenditure for extraordinaries. The salaries naturally are fixed. Could you furnish us with a list of those expenses which are defrayed out of the extraordinaries?—The chief clerk could furnish them. Our extraordinaries have been greatly reduced in the last ten years; in 1859 they amounted to 12,680*l.*, and in 1869 to 9,618*l.*, notwithstanding a heavy increase in the fixed salaries charged upon them; in 1859 the aggregate of all expenses, exclusive of salaries, was 8,082*l.*, against 3,294*l.* in 1869, which, however, was an exceptionally high year; but the diminution is nevertheless of more than one-half as compared with the average amount eight or ten years ago. The fixed salaries now come to 6,309*l.* out of that 9,600*l.* Then after that came various items, boat and horse hire being the heaviest, and one which I do not see the possibility of reducing. I may say that our dragomans are continually employed, having constantly to be sent over to the Porte; and must either keep or hire horses. In summer everything is done in boats, and they must have boats to go from place to place to see the pachas. I do not see that that can be reduced. Then the telegraph account comes out of the extraordinaries, and that is a heavy item; and the postage is also heavy.

990. The postage you are unable to contract very much?—The postage it is impossible to contract very much.

991. You are dependent on the size and number of the letters in many cases sent to you?—A letter from some distant consulate, containing bulky official documents, may very easily cost 3*l.* or 4*l.* in postage.

992. Do you not think that there are many occasions on which these duplicates of despatches sent by the consuls should be sent by some cheaper conveyance than by the post?—If you trusted your despatches too much to opportunity or to private hands, it would not be advantageous.

993. Such opportunity as a vessel going, for instance?—Then you must find somebody to take charge of them. I think that you might reduce the postage by making the consuls pre-pay their letters and despatches, and repaying them; as it is we pay double.

994. Where no immediate action is necessary on the papers, why should you have duplicates of them sent by post?—For instance, if a mass of documents is sent to us from Bagdad, and they write to us to get some action from the Porte, and these documents do not come to hand, the consul general at Bagdad at the end of three months will write to us to know if any decision is come to with regard to these papers, and we have to write back to say that we have never received them.

995. You cannot suggest any diminution in that item, except pre-payment?—No.

996. As to boat hire?—The boat hire I do not think it is possible to reduce.

997. The garden expenses?—The garden expenses I took in hand about six months ago, and I think the arrangements that I made will reduce the garden expenses by about two thirds.

998. And at Therapia?—I include Therapia and the town in that.

999. Viscount

999. Viscount *Barrington.*] With regard to these dragomans of the second class, it has been suggested that Englishmen should fill their places; but would they not have to adopt the same means that the dragomans do of getting information?—In the case of the second class of dragomans, I do not see any advantage in changing. It is the work of the political dragoman that I should like to see in the hands of real Englishmen.

1000. It would be highly repugnant to an Englishman to adopt the means adopted by the second class of dragomans?—It is not the sort of work that he would like to carry on.

1001. I see from your printed letter that you do not think the amalgamation of the diplomatic and consular services would be desirable. May I ask what your reason is?—I think that it is undesirable to do anything that would take consuls out of their natural line, their purely commercial line, and make them aim at becoming politicians.

1002. It has been suggested that attachés up to a certain grade, I mean until they became secretaries, should take the post of consuls. Do you think that that would create any jealousy amongst the gentlemen who already occupy the post of vice consul, and may expect to be promoted?—No, I do not think that it would. At first it sounds as if it would be unfair upon the vice consuls to give diplomatists the consulships that these other gentlemen may be expecting; but, in point of practice, the large majority of consuls are not appointed from the vice consuls, but from outsiders altogether; and I see, in a pamphlet written on the diplomatic service the other day, that in the consular service there are no less than 85 who have never been vice consuls. Therefore, I do not think that it would be an injury to the vice consuls if you took young diplomatists, instead of taking ex-military or naval officers, or any of the other persons who at present get those posts.

1003. Have you thought whether it would be a good thing to throw open the post of attachés to open competition?—Yes, I have often thought of that, and I think that it would not answer at all. The first effect would be, that the position of an attaché would be very much changed on his arriving at his new post. At present an attaché is named, and you trust to the selection made by the Secretary of State, and you introduce that gentleman, without question, into the best families and houses in the place where you are; it is claimed of right, and nobody questions it. But if it was open to competition, I know, for my own part, that I should certainly not think myself justified in introducing into other people's houses a person of whom I knew nothing, except that he had passed successfully through an examination.

1004. Besides, he might not be a rich man, and then he could not live upon his pay?—At present it is absolutely necessary that anybody who comes into the diplomatic service should have at least 400*l.* or 500*l.* a year of his own.

1005. You said that you thought that the staffs at some of the missions might be reduced if clerks were sent more frequently from the Foreign Office?—I said that it was considered necessary in some places to keep two secretaries where one would be sufficient, in order to allow of one going on leave; and I said that I thought instead of keeping two men permanently there, it would be sufficient if a clerk were sent from the Foreign Office to fill up that place during the absence of the regular secretary.

1006. But surely that would not in any way diminish the general expense, because then you would need to have a larger staff of clerks at the Foreign Office?—Yes, but if a secretary is absent for two months in the year one clerk might fill the places of six absentees, whereas otherwise you might have to keep six second horses, so to speak, at the different legations.

1007. Do you think that any reduction could be made in the number of consulships in the Levant, which, as I gather, are about 39?—I was asked in the Foreign Office to report upon that subject a few months ago, and I did suggest one or two possible reductions.

1008. Mr. *Frederick Stanley.*] With reference to your suggestion, that clerks from the Foreign Office should take the place of a secretary during his absence, supposing that there was only one where there are now two, do you think that persons coming out in that manner for the time being would be able to take up the thread of the business in the same manner as a person who was resident upon the spot?—I think so, for any legation where there was only one secretary must manifestly be a very small one, so that I do not think that there would be any difficulty in a clerk making himself master of the business there.

1009. Viscount *Sandon.*] I think you said in your printed paper that you thought a university degree, accompanied with honours, would do away with the necessity for any examination, but I do not quite understand, from what passed to-day that you adhere to that?—I rather incline to the opinion which I have already expressed, that you might nearly dispense, if not quite dispense, with an examination for young men first coming into the service. I think I said in that report that I should like any university degree, but at all events a degree in honours, to be held as sufficient qualification without further examination.

1010. In that case you only meant that remark to refer to the first examination?—Yes, not to the second at all. I should make the second severe, and then, to counterbalance that, I would very largely increase the pay of the second secretaries; I would make it worth people's while to pass that examination creditably, and remain in the service afterwards. I should increase the pay of the first secretaries also.

1011. I think you said that you thought the number of the subordinate members of the missions might be diminished, because a smaller number might carry on the work of the office; is it not the fact that a very important part of a young diplomatist's duty lies outside the office?—Certainly a good deal ought to be done outside the chancery, but I do not think that the work would be so heavy as to prevent him from going into society and doing the work of the office also. But as I said before, for every different mission the proper person to judge of it is really the head of that mission; I speak vaguely, and of a state of things that may have very much changed since I was acquainted with them.

1012. You did not confine your ideas of his duties to the chancery?—No.

1013. He ought to mix largely with society?—Yes.

1014. In fact, to be the eyes and ears of the ambassador?

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ambassador?—To be aware of all that was going on.

1015. With regard to the question of leave, do you feel that it is important for the general service that the younger diplomatists, as well as the leading members of the profession, should often come to England?—I think it is very important; I think what you want is to keep your diplomatic servants as English as you can keep them; the tendency of all of us, from living abroad, is to lose our English feelings; we really do not know on many subjects what the feelings are in England.

1016. It is a matter of national importance that all members of the profession should frequently come to England?—I think, very decidedly.

1017. With regard to the question of a private secretary being allowed to the chief of a legation, outside the diplomatic circle, would not that tend rather to diminish the intercourse between the chief of a mission and the subordinate members?—I do not think that it ought to do so.

1018. To go to another subject, as to the consuls in the East, do you think it important that they should be frequently changed?—That is a very difficult question; there is a good deal to be said on both sides. I do not know that I could lay down any rule with regard to that.

1019. The consuls in the Ottoman Empire have more of a political character attached to them than our consuls have elsewhere?—They are totally different from what they are anywhere else. It is very important to have good men in the East.

1020. There have been cases where the whole peace of a district has depended upon the consul?—Yes, he has a good deal of power both for good and for ill.

1021. I should be right in supposing that our consuls, as a general rule, meddle less with political affairs in the East than those of other nations?—I think that our consuls are quite aware that the feeling, both at home and at the embassy at Constantinople, is that they should meddle as little as possible.

1022. I suppose that many cases have arisen when you have received very important information from the consuls?—Yes.

1023. And the necessity for retaining a consulate is a political matter as well as commercial?—Yes, it is a political matter as well as a commercial one.

1024. Have you any opinion with regard to the emoluments of the consuls in the Ottoman Empire?—The consuls are highly paid according to the scale on which consuls are paid in Europe. But I think it is quite necessary that they should be. Their position is judicial in many respects. They have to keep up their dignity (which is not a word I like to use, but still it is so in the East), and appear on terms of equality with the governors and the pashas that they have to deal with. If they could not do that, I am quite sure that they would very much lose their influence and the power of being of use to their countrymen.

1025. Most of the foreign consulates, I believe, have much larger office allowances than our consuls?—I believe they have, but I cannot speak to it with any certainty,

1026. Mr. *Butler-Johnstone.*] You said that there was a greater distrust in the profession of the Secretary of State now than there used to be formerly; what has led to the change?—I think that it is owing to the greater interest that the public have shown in the profession of late years.

1027. Would not that rather increase the trust in the Secretary of State?—I was alluding to the fact that formerly a Secretary of State promoted an attaché or secretary over the heads of a great many others, and nothing was said or thought of it; but now if that takes place, you immediately see a number of indignant letters, comparing the services of the man who has been promoted, with the services of somebody else, who is higher on the list; and it is always assumed that the Secretary of State has not done it for the sake of the public service, but for some object of his own.

1028. But if a man were promoted because his merit in the profession was recognised, there would not be any distrust in the profession at his promotion, would there?—In the profession generally I do not think there would be any dislike to more selection. I am quite sure that the good men would like it; I do not mean to say that there would not be some who would think that it would tell against them.

1029. In fact it is better to have selection by merit than selection by seniority?—Yes, of course, paying due attention to seniority.

1030. In regard to the examination which you recommended for the second secretaries; supposing that examination to be a very strict one, would it not rather lead those in the profession, who had got the post by examination, to expect to be promoted merely according to the examination instead of being promoted for other qualities not tested by examination?—I would not enable one man to compare his work with that of another. I should make it a pass examination; but I should wish to mend his position as second secretary when he passed, and to give him a very considerable increase of salary both immediately on his promotion as second secretary, and when he became secretary of legation.

1031. Then it would be a mere test examination?—A mere test examination; but whatever the examination was, I should wish it to be real, not a cram examination, as at present.

1032. If any one learnt Turkish in England, and went out to Turkey, having a good grammatical knowledge of the language, how soon could he learn the colloquial language?—It would depend upon the man; some men might pick up a colloquial knowledge of a language in a few months; it would depend also upon his mode of life; if he threw himself entirely into Turkish society he would pick it up quickly.

1033. In two or three months?—I think you must give him a longer time than that; it would be more likely to be two or three years.

1034. In case of private secretaries being appointed to ministers unconnected with the embassies, which you seem rather to recommend, would it not be rather hard if those chiefs of embassies who had already private secretaries attached to the embassies had to change their private secretaries?—I would not recommend that a change should be made in such cases, because my only object was to reduce the staff, and as these men are now in the profession, there would be no object in preventing them from being private secretaries.

1035. Is not being private secretary to the chief of an embassy a very good training for a young attaché?—Yes, I should say that it is.

1036. And

1036. And training, which, perhaps, it would be unwise to dispense with; is it not better than the routine work of the chancery?—No, I do not see that it is; but it would also depend very much upon the mode in which the minister happened to conduct his business.

1037. We have been told that about 600 *l.* a year is about the minimum expenditure of a young attaché at one of the large courts; would not a private secretary, being in the same position as an attaché, have to incur an equally large expenditure?—I presume that a private secretary could live in the minister's house. I think that most ministers would be able to find some young man of whom they knew something, who would be glad to come for 300 *l.* a year.

1038. Could all the chiefs of embassies put up with a private secretary in their house without inconvenience?—There might be inconveniences, but it was a suggestion that I made rather with a view of trying to keep the regular staff as low as possible.

1039. With respect to the responsibility of our ministers being diminished by the existence of the telegraph, surely, as you have told us that sometimes the Secretary of State acts on imperfect information, and sends a telegram to one of our ministers, based on the imperfect information which he has received, the responsibility of our ministers abroad is increased by having to act, it may be, contrary to their instructions?—It sometimes is. It has happened to me to have to act on a telegram which said exactly the contrary of what I felt sure it meant to say. Fortunately the mistake was so palpable, that I had no doubt on the matter.

1040. But not only might a telegram say the contrary of what it was intended to say, but it might say the contrary of what the Secretary of State, or a more perfect understanding of the case might have ordered?—Probably it would have been one's own fault in such a case if it was any information which the Secretary of State got from that same legation, in not having laid it clearly before him.

1041. But the information on which he acted might come from another source?—Yes.

1042. You would not say, on the whole, that the post of the minister was less responsible now, in the sense that inferior men might be employed to those formerly employed?—No; I used the word "responsibility" in the sense of coming to decisions of the line to be followed on important emergencies.

1043. You had no reference to the abilities required?—None at all; I think the position is quite as difficult now as it was before.

1044. With reference to the Foreign Office clerk who might be sent to fill up a gap during the leave of an attaché or secretary, there is illness as well as leave to be considered, is there not?—There is, of course, that to be considered.

1045. If you were to reduce the staffs quite to the minimum, you might in a crisis be really in serious difficulties in the event of a sudden illness?—You might occasionally be in a difficulty; but then the question is, on the other hand, if you do not reduce your staffs very much, how you are to provide a fair chance of promotion for the men whom you have invited into the service.

1046. In fact, it is a question of balance requiring a great deal of nice consideration?—Yes; I should personally like to keep the staffs at their present number, and if the House of Commons would recommend the older ones who have served long being pensioned off liberally, then the difficulty would be got over.

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1047. And you would recommend, in the abstract, such a plan?—I should be delighted to see the pensions freely given to the older ones, so as to be able to bring forward your younger men.

1048. Mr. *Arthur Russell.*] You said that you wish to guard against the evils of cramming for the examination; I did not quite understand how you would effect that?—The only way in which I think you can guard against the evils of cramming is to give the persons about to be examined no notice of the time when the examination is to take place. If you say that you expect a man to be promoted to the position of second secretary at the end of 10 years, let it be known that after eight years every third secretary is liable to be called upon to come home and pass his examination without notice; he would not be able to cram for the examination, and then you would find out what he knew.

1049. His reading would extend over several years you mean?—Yes; I do not want to make the examination unfairly severe; you may limit it as much as you like, but make it *bonâ fide*, if you possibly can.

1050. Do you think that if the ambassador at Constantinople were deprived of his house at Therapia, with a view to economy, he would sink in the estimation of the Turks?—If the house at Therapia was taken from him it would be absolutely necessary for him to get one somewhere on the Bosphorus out of his own pocket, because all his colleagues and all the pachas live there.

1051. He would be put in a position inferior to the Austrian, the French, and the Russian ambassadors if deprived of that house?—Certainly.

1052. Mr. *William Cartwright.*] Have you drawn out any kind of scheme for the sort of examination that you would suggest?—No, I have not.

1053. There is no particular point in the existing examinations which you would point out as defective?—I think that the existing examination would be too severe if it were not a cram examination; I think if you were really to call upon any man unprepared to go through that examination with credit it would be found rather severe.

1054. But the idea, if I understood you rightly, which you suggested was to facilitate the first entering the service, and then to impose a difficult and hard test examination, which would secure promotion?—Yes, that was the idea, because if men come in as formerly for eight or ten years, and do the work of the embassies without intending to follow the profession, I think that is all gain.

1055. According to your experience a great deal of cramming is practised at present?—Cramming is naturally practised; when a young man gets his nomination of course he prepares for his examination.

1056. Is that very objectionable?—I think that it does away with a great part of the advantage of the examination.

1057. You mean that it is superficial?—Yes; that what they have learnt quickly they forget almost as quickly.

1058. I think I understood you to say that, according to your calculations at the present rate of seniority in the service, no young man in the

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service could hope to be a minister under the age of 65?—I calculated that by the time men would become the heads of missions they would be 65.

1059. That is in consequence of the block?—That is in consequence of the block.

1060. But there always was a block?—Yes; but the prospects were never so bad as they are now.

1061. But I think you have quoted cases where the people have remained for 10 years unpaid attachés formerly?—Yes; but a great many were passed over their heads then.

1062. Then it is the present system of seniority which is blocking the profession?—Yes.

1063. And with a view to relieving that block, you would suggest a reduction in the staff?—I see no other way of reducing it, except by allowing as many as were disposed to do so to go into the consular service.

1064. But that would be a very slow process?—It would necessarily be a slow process. There might, however, be a few who would prefer a consulate.

1065. Then how could a reduction be made?—Anything that I suggest would not relieve the present block; it would only prevent its continuing.

1066. Would it not be the best course, then, to check nominations?—That of course mustdepend upon the knowledge that the Secretary of State has of the requirements of the different posts, which I suppose he must gather from the reports which he gets from the ministers.

1067. You could not get rid of the present men without giving them pensions?—You cannot get rid of the present men without giving them pensions or offering them other service.

1068. And that claim to pensions has increased of late in consequence of their getting commissions much earlier?—Yes; but the pensions coming under that last regulation are according to the Civil Service system, and they are not entitled to ask for them, I think, till they are 60 years old.

1069. The only practical means would be to draft them into the consular service?—Yes.

1070. You were saying just now that there was a very distinct line of demarcation between the consular and diplomatic services?—Yes; the line of demarcation is more distinct as between the consular service and the diplomatic service, than as between the diplomatic and the consular, if you understand what I mean.

1071. You mean a diplomatist can make a good consul sooner than a consul can make a good diplomatist?—I mean that we have a good deal more commercial business than they ought to have political business.

1072. And in the East, most of those consuls who are under you are in reality subordinate diplomatists?—In many cases they are.

1073. Among those men I suppose there are many who have had long experience of the East, and are very conversant with the language?—Yes, I should think about half of them.

1074. Could you not find amongst them recruits for the post of dragoman?—Then you must make your dragoman's service more profitable than the consular.

1075. Which it is not at present?—It is not; on the contrary, we find our dragomans are anxious to go into the consular service.

1076. You were mentioning that the dragomans do not really stand in that sort of relation that would enable them to take charge of the mission in the absence of the chiefs; is not that mainly due to the fact of their being Levantines?—I think it may arise partly from that; but I think it is partly owing to the character that their position has in the East.

1077. Their connection with the lawsuits, and so forth, you mean?—It must be remembered that every interpreter is called a dragoman; every commissionaire at the hotels, who goes about to interpret for travellers, is a dragoman, and naturally makes his little gains in the way those people generally do; and the name does not ring well.

1078. You were mentioning that the Austrians had only appointed an ambassador within the last two years?—Yes, he was an inter-nuncio.

1079. What is that equal to?—He had the rank of envoy extraordinary.

1080. Mr. *William Henry Gladstone.*] I suppose that the present block is a good deal owing to there having been too many nominations to attachéships in former years?—I am not able to say that there were too many nominations, for there may really not have been more than the requirements of the service demanded; though, as I have said, I think it would have been better to have worked them rather harder, and had fewer. I must also repeat, that I cannot answer for a great many of the legations where they may not have been at all over-manned.

1081. The number of these nominations to attachéships seems to have diminished recently; in 1861 there were 42 unpaid attachés nominated, and in 1869 there were 17?—The third secretaries should be included in that last number, because they are a new creation, taken from the unpaid attachés.

1082. Do you consider that the block has injured the service?—I think it has injured the service by rendering men discontented; I do not think it has in any other way.

1083. It has not deteriorated the class of men sent out?—No.

1084. Could you tell me what these rules are which are thus alluded to in your letter to Lord Clarendon: "If the rules laid down by the Foreign Office circular of November 1860 respecting the duties of the secretary of embassy and legation were more commonly observed, it would facilitate the reduction"?—It was a circular giving the secretaries more distinct work than they generally performed. There are a great many places now where the secretary of legation, the first secretary, does literally nothing except when the minister is away, and that was not contemplated originally. If he did more work, then I assume that there would be less for the others to do.

1085. I see it is stated somewhere that the secretaries of legation are almost entirely occupied in collecting information for reports?—Yes, that I know; but at the same time the circular distinctly says that these reports are not to interfere with their regular duties.

1086. Do you think that if the reductions you have suggested were carried out there would be a financial saving?—No. What I have suggested with regard to Constantinople would certainly make a great saving at that embassy; but in general I should strongly recommend an increase of pay to the second secretaries and to the first secretaries.

1087. Have

1087. Have you formed, in your own mind, any idea of the proportion that you think the salaries of the secretaries ought to bear to the salaries of the ambassadors, or the ministers?—I think it must depend a good deal upon the place.

1088. Is living at Constantinople very dear?—For many things it is; living for an ambassador is much dearer in comparison than it is for the young men; because they have the advantage of being lodged, and (what may perhaps be an advantage) they have very few inducements to spend money in theatres, and so on. Then for an ambassador, or anybody who keeps a large establishment, it is very expensive because of servants. A common Levantine servant is more expensive than an Englishman. If you take English servants out they cost you 15 *l.* or so to bring out, and then if they do not suit you they cost 15 *l.* to send them back again. And everything else is very dear; everything you buy is dear.

1089. Food and house-rent?—Yes; and in a large establishment the servants' liveries. I have all my cloth sent from England, the lace, the buttons, and all the rest of the things, but the simple making-up of those things costs more in Constantinople than it costs to buy the things made up entirely here.

1090. To what extent is French spoken in communications with the Turkish ministers?—I think that about half the Turkish ministers speak French at present.

1091. Is that practice growing now?—Yes; they select, by preference, people who can speak French.

1092. You consider that those who enter your service now are better up in French than formerly?—Decidedly, very much better up.

1093. But you do not attribute that at all to the system of examinations, do you?—Yes; I think that it is partly owing to the system of examination, and then we must also say that the general system in England is that men learn a great deal more French than they used to do 30 years ago; the system of education is a great deal changed in that way.

1094. But you think that you have got as much good as you can get out of the principle of examination?—I think so.

1095. Mr. *Holms.*] Is it not the fact that our abandonment of the protectorate of the Ionian Islands has led to a considerable diminution of work in our embassy at Constantinople?—Yes.

1096. Is it not the case that the great majority of those claiming protection in the Levant were Ionians?—They formed a large proportion of them.

1097. The expenditure on our embassy at Constantinople last year was 20,331 *l.*; is there any reason which you can assign why it should be more than the expenditure of the Russian Embassy, which appears to be 13,521 *l.*?—I have very great distrust of a great many of the returns of the expenditure of foreign diplomatic servants; there is not the strict control over all expenditure in their services that there is in ours, and there are a great many things that do not appear in the returns.

1098. Then you do not think that the return given from St. Petersburgh is correct as to the expenditure of that embassy?—There may be other things added in some roundabout way that we are not at all cognizant of.

1099. Do you believe that their expenditure is as high as our own?—I have very little doubt that the Russian Government spend at Constantinople at least as much as our own; with regard to the sort of expenditure which the Russian Government are ready to incur, I may state that they have got a very fine house there, and I was told that they spent in the decoration of one room this last year 3,000 *l.*; I do not think that at any time we have had anything to show like that, although our house has also cost a great deal in its way.

1100. Are there any fees taken at the embassies?—There are none taken by us. It is very possible that they may be taken at the Russian Embassy and deducted from the return.

1101. There is a large sum received for judicial fees at Constantinople, what becomes of that?—That is a distinct account kept between the consul general, who is also the judge, and the Foreign Office. I have nothing at all to do with that; but it is accounted for to the Foreign Office.

1102. It is apart from you altogether?—It is apart from me; the consul general is under me; but I do not see the details of that account.

1103. I think it is your evidence that, in your opinion, the diplomatic and consular services should be kept as distinctly separate as possible at Constantinople; do you hold the same opinion with reference to St. Petersburgh and Vienna?—I was speaking generally, and not of Constantinople alone, when I said that they should be kept distinct.

1104. Do you apprehend that there would be any difficulty whatever in obtaining an audience of the Sultan if you were placed in the position of minister instead of ambassador?—I think that an English minister would always be able to get an audience by favour, but it would be intimated to him that it was by favour; and also I am not at all sure that an occasion might not arise where the Turkish Government might not be in a very good humour with us, and when they would put forward some excuse, and say that the Sultan was not able to see the minister.

1105. But on the whole you do not seriously think that there would be any real difficulty at all in conducting the business which you are required to conduct at Constantinople, if you were in the position of minister instead of ambassador?—I could certainly conduct the business, but I am quite sure that with an Oriental people I have infinitely more power and influence with my additional rank as ambassador.

1106. Nevertheless you believe that you would get all that you required to get, even if you were only a minister?—No, it would not be all that I required to get if I believed that I could have got more as an ambassador.

1107. Mr. *William Cartwright.*] In a moment of emergency you might be at a disadvantage if you had not the rank of ambassador?—I am sure I should; I should not be listened to in the same way as if I had that rank; and it would have this effect also: they would say, "The English Government have always maintained an ambassador here; now, because they wish to show either less interest in the Turkish Government or less confidence in their own representative, they have reduced his rank to a secondary one." That is the argument that they would certainly use.

1108. Sir *Charles Wentworth Dilke.*] Do you think that the Russian Government possess now at

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at Constantinople (to use your own words) infinitely more power and influence than they had four years ago?—Well, that is a very difficult question to answer, it may depend upon so many different circumstances.

1109. But there is no definition, I think, of what constitutes an ambassador with regard to salary or the expenses of his mission; it is merely a matter of commission, is it not?—There is in reality a difference in the expenditure that he is put to; there is no question that there is a scale observed by every tradesman and every person that you pay anything to, and you pay according to your supposed rank; there is no fixed price for anything there, but you pay according to your supposed position.

1110. When the Russian and the Austrian legations were raised to embassies, do you think that a similar rise was made in their expenditure?—I should think so, probably.

1111. But otherwise, supposing that it were desirable or possible to reduce the expenditure, the expenditure might still be reduced, and the rank of ambassador preserved?—I think it would certainly diminish your influence if you in any way lowered the position of your representative from that which the people have been accustomed to see; I think that, with an Eastern people, that point does not admit of a question.

1112. As far as the one point, of audience, which you take up chiefly is concerned, you would not be affected by such change?—I think, generally speaking, that the representative of England, of whatever rank he was, would be able to obtain an audience of the Sultan, but he would not be able to ask it as a matter of right; and, certainly, circumstances might arise, and exactly the circumstances under which it would be most essential for him to have an audience, in which there would either be a refusal or an evasion.

1113. But if he had the position of ambassador he might ask that audience as a right, whatever the amount of his salary or the expenditure of the mission?—Yes. The Turkish Government have nothing to do with the salary that the English Government pay their representative; that they know nothing about.

1114. With regard to keeping the archives, would it not be possible to limit the amount of time for which the papers are retained?—That of course would be possible, but the archives when once put away cause very little disturbance; after they are deposited in their cases, there is no trouble involved by allowing them to stay there.

1115. I think you made use of the word "fortunately," with reference to a fire that occurred?—I meant "fortunately" for those connected with the chancery, who profited by the simplification resulting from the destruction of many old documents.

1116. We have had evidence before us that in Paris the accumulation of documents is enormous; that is not within your knowledge, perhaps?—No.

1117. With reference to appointments to the diplomatic service, you said that, with regard to their being thrown open to competition, the chief objections which struck you were that you would not secure the possession of an income sufficient to allow people to live on the small salaries that they now get, and also that you would not secure their being gentlemen?—Yes, you would have those two drawbacks.

1118. Do you think that you have absolute security for the latter now?—You have not absolute security certainly, but you have the responsibility of the Secretary of State for every person that he admits.

1119. Do you not think that a similar responsibility might in some way be secured, if in addition to competition you made him still personally responsible; might not a system of certificates, say, from the universities, or some other public bodies, be introduced?—You mean to limit his choice to persons possessing a certain certificate. If there were a sufficient number of men found to make the selection from, it might be so, but it is impossible for me to guess what sort of persons would be likely to present these certificates for him to select from. If only two or three came forward when he had various vacancies to fill up, he might be driven by that rule to select people who would not otherwise be taken.

1120. With reference to the point of income and salary, do you think it a good principle to employ people in a service which paid at all if that which is not sufficiently paid for them to live on the pay?—I think generally that all unpaid service is objectionable. But at the same time I think that it would be very difficult to pay young men in the diplomatic service at the rate it would be necessary to pay them at. I scarcely think that you could ask that a young man of 21 should [receive the 600*l.* or 700*l.* a year that it is necessary for him to have to live on at some of these expensive courts.

1121. It would turn to some extent upon the reduction of the numbers?—I should be well content, in their case, to allow it to repay itself in expectation. I would pay all the superior grades, dating from a second secretary, better, that is to say, the second secretaries, the secretaries of legation and of embassy, and I would pay the others by expectations, in the same way that a man beginning by being a curate, hopes to repay himself by becoming a bishop hereafter.

1122. Would not that conflict with what you said with regard to the severe examination, the second examination in your supposed system?—No, I do not see that it would interfere with it. If you take a man in with a moderate or very light examination at first, and then make him go through a severe examination before he is second secretary, and reward him for going through that examination by a very material increase of salary, I think that those who felt confident of being able to pass would be encouraged to go on receiving little or no pay.

1123. But what about a man who did not feel confident?—He would leave the service without becoming second secretary when it was not too late for him to turn to some other employment.

1124. But would not his unpaid service be of the kind you were deprecating just now?—But I also said that, during my experience, I have never seen any difference between the work of the paid and that of the unpaid attachés. I said that the unpaid have done their work very well.

1125. Mr. *Kinnaird.*] What is your precise relation with the large body of consuls in the Turkish Empire; are they directly under you?—They are directly under me. The general way in which they carry on the business is to write

write to me, and at the same time to send a copy of that despatch to the Foreign Office, if it is anything that does not require immediate decision, instructions can be sent from the Foreign Office upon it; if it is anything requiring immediate decision, I send instructions to the consul, and at the same time write home to let them know the steps that I have taken.

1126. That gives you a very general knowledge of the efficiency of that body?—Then, too, I have perfect knowledge of everything that they write; it passes through my hands, and a great deal of the consular business is done direct between the embassy and the consul, and never goes home at all. That is one advantage of keeping the consuls under the Foreign Office; if it went to a different office the business would be very much retarded; whereas now, between ourselves, the English Embassy, and the consuls, there is a constant interchange of correspondence, and nine cases out of ten are settled without reference to the Foreign Office.

1127. Several changes were made after the Committee that inquired into the consular service in 1858; have you found benefit resulting to the service from those changes?—The chief benefit that resulted was the giving of commissions to the second and third secretaries.

1128. And has that worked well?—Nobody has reaped anything from it as yet, because they have not served long enough for it to come into operation.

1129. Are you at all cognisant with the working of the French consular system in Turkey?—No, I am not. They appoint their consuls more directly from France than we do; we have taken Levantines or travellers, people who have made themselves known in the East in some way. The French appoint pure Frenchmen, more than we do pure Englishmen.

1130. Do you think that the national benefit is greater from that mode, or would you continue our own?—We have got some very good men indeed from our own system, but, on the whole, I am not at all sure that the French is not the better one of the two.

1131. And they promote afterwards from the consular service into the diplomatic?—Yes, they do more than we do.

1132. That is not a bad school for learning?—The eastern consuls are political officers, more or less; very much so in many places, but, as a rule, I do not think it is good to promote from the consuls much, though I never would like to have our Secretary of State debarred from doing it if he sees a person that will make a good minister.

1133. On the whole, you consider that our consular service in Turkey is creditable, and that the country does derive the advantage which it may expect from it?—We have a mixed service. We have some very admirable consuls, and we have some whom it might be as well not to have, as is the case in all services.

1134. But with a view to improving it where it is ineffective, do you report home on the efficiency or non-efficiency of a particular consul coming under your notice?—If any particular case were to occur, I should certainly report it home.

1135. But not the mere want of efficiency?—If a man's character was not exactly what I should like it to be, I should not make it the subject of an official report, unless it became something notorious.

1136. You have no suggestion to make with a view to improving the consular service?—No; you are divided between the wish to get, on the one hand, people who can speak the language, which is no doubt a great advantage, and the wish to get real Englishmen on the other hand, and it is very difficult to combine the two.

1137. You would be glad to have that last point secured?—I hold very much to the advantage of having an Englishman; that is my own feeling very strongly both in regard to the consular and in regard to the diplomatic service.

1138. And could nothing be done to train a large number of Englishmen in the Eastern languages?—You must either be ready to pay a large number of young men for educating themselves, or be prepared to hold out greater hopes of promotion and advancement than I think you could well do. You must pay them, because you could not say, "Now if you will go out and work and study so many years, you shall have a consulate worth so many hundreds a year." Some of these men would certainly turn out incompetent, but you must either name them to consulates, or else you must throw over men who have gone out to the East on the faith of your engagement to find an appointment for them.

1139. You have nothing to suggest as to the consular service?—No, nothing, except the greatest possible care in the appointments.

1140. And those appointments rest entirely with the Secretary of State?—Entirely with the Secretary of State.

Monday, 28th March 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable JAMES HOWARD, Earl of Malmesbury, attending by permission of the House of Lords; further Examined.

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1141. Mr. *Rylands.*] I THINK last week you stated that, in your opinion, the smaller missions in Europe ought to be maintained, as they were the eyes and watch dogs of the Foreign Office?—I think that they have been of great use in that way.

1142. The object of this Committee being to inquire as to whether the smaller missions might not be reduced to save expense, I should like, if you please, to ask you whether in connection with obtaining information, the opportunities which are now afforded through the press, by means of the discussion of legislative assemblies abroad, are not a more safe means of judging of public events abroad than the information obtained through the smaller missions?—That would only apply to facts which had already happened, not to circumstances that were likely to occur.

1143. But is it not the fact that, in judging of the course of events, you are able to judge rather from the course of public opinion in foreign countries than from specific information which you may obtain as to the inclination of any particular individual?—I do not think that you can always judge in that way. There are many things that are not publicly discussed in the assemblies, to which, if I understood you, you allude, as to which information might be sent to the Foreign Office, and that information would anticipate those discussions.

1144. Of course I am only alluding to constitutional governments where there is generally a discussion in relation to any events in progress?—I should like to know what is meant by "smaller missions"; it is a relative term.

1145. I mean by smaller missions, all the missions in Europe besides the seven or eight very large missions, which are known to everybody as being the important missions in Europe; Austria, Prussia, France, Spain, Russia, Turkey, would of course be important; then the smaller missions would be Sweden, Denmark, Wurtemburg, Bavaria, and the other smaller German courts; the question which I wished to put, was in relation to the conduct of affairs in the large and important Governments; whether you would not usually obtain better means of judging of the probable course of events than the information obtained from the smaller missions of Europe, through the press and through the debates in legislative assemblies?—I do not think that you would; I think the press would very often mislead you, of course not purposely.

1146. Your Lordship was good enough to inform us in support of the opinion in favour of smaller missions, that the two most important pieces of information that you ever received, while you were at the Foreign Office, came from the smaller stations, one from Hanover and the other from Switzerland?—Yes.

1147. In answer to another question, your Lordship stated that they were both authentic pieces of information, and that they were given a long time before any of the larger missions knew anything about either of them; I wish to ask your Lordship whether that answer is correctly given?—It is correct; but I do not wish to say how the information was obtained.

1148. It is correct to say that these two important pieces of information were given a long time before any of the larger missions knew anything about either of them?—It was an accident that gave me part of that information, but the statement is correct.

1149. Does it not occur to your Lordship as a remarkable circumstance that, having important embassies at Paris and Vienna, with a considerable staff on the spot, where these events were being discussed and decided upon, the Foreign Office should not obtain from those embassies any information about these events; I am asking your Lordship that question upon the statement that these authentic pieces of information were obtained from the smaller missions long before the larger missions knew anything about either of them; and I am putting it to your Lordship whether, under those circumstances, it would not seem remarkable that with our ambassadors at Paris and Vienna, and a large staff at the embassies,

bassies, we were not able to get from those embassies information considered important in reference to those affairs?—I do not think it was remarkable, because you often find that there is great discretion at one court, and accidentally very little at another; that is why you obtain information from one that you do not from another.

1150. Would it not appear to your Lordship that when two important embassies of that character are kept up at such a large expense, the Foreign Office might naturally expect that information of this important character should be obtained through their instrumentality?—I think it only proves that the officials at those larger states were more discreet than others; they did their duty better to their Governments in keeping such information secret.

1151. May I ask how long it was that this information was obtained before the larger missions knew anything about it?—I cannot answer exactly, because I do not recollect.

1152. In reference to Austria, must we understand from your Lordship's evidence on the last occasion, in answer to Question 727, that the information at the Foreign Office obtained from Hanover was that the Austrians had "broken through everything, and crossed the Ticino," or "that they had determined to cross the Ticino"?—That they had determined to cross the Ticino; they had not yet moved.

1153. Your Lordship says in that answer, "It was when we thought that we had prevented the Italian war; the French Emperor had induced Cavour to disarm, and we thought that it was all going to be settled amicably." With regard to the Congress, I think that I am correct in stating that Cavour never did commence disarming at all; there was no disarming on the part of Italy?—It was not done, but it was agreed upon on condition that they should all disarm.

1154. May I ask your Lordship what was the advantage of this information, or in what way did it affect the action of Lord Derby's Government in controlling the current of events?—Lord Derby's Government was unfortunately unable to control the current of events; that was not the result of that information, nor would it have been the result of any information at all; the three powers were desirous of going to war, and they did go to war, and we could not prevent it.

1155. I am quite aware that Lord Derby's Government exerted themselves very much to prevent their going to war; but I want to get at this, how this important piece of information that the Austrians intended to go to war affected the course of Lord Derby's Government?—It enabled us immediately to press still more upon the Austrians to have a Congress, and settle the question in that way.

1156. You did press their doing so previously to that information?—And of course, much more, when we were given to understand that they had determined to go to war.

1157. You recollect that the Austrian troops crossed the Ticino on the 25th of April 1859. Perhaps I may call to your Lordship's recollection that on the 18th of April 1859 Lord Derby stated, in the House of Lords, that it was uncertain whether the Congress would meet or not, and that he looked upon the course taken by the different hostile Governments as trifling; but I quite understand your Lordship to say that practically the line of policy of Lord Derby's Government was in no way altered by the information obtained in reference to the probability of the Austrians going to war?—We still maintained the same wish and exertions to prevent war if possible.

1158. I think that I may recall to your attention that at that time it was the common belief in Europe for weeks before the Austrians going to war, that the Austrians would go to war; it was the common expectation and belief in Europe that peace would be broken, was it not?—I do not know.

1159. May I refer to the other important piece of information in reference to Savoy, which your Lordship said was obtained from Switzerland; did not the intelligence come, on the 1st of May 1859, from Admiral Harris?—It came from him; I do not remember the date.

1160. Can your Lordship state whether it was not the fact that in the course of that month, or about the time of this information coming, there was a general rumour in the principal capitals of Europe that the intention of the Emperor was to annex Savoy?—No, I am not aware of that.

1161. I think I may ask your Lordship whether the effect of that information coming to you from Switzerland was not to induce your Lordship to instruct Lord Cowley to ask Count Walewski whether the rumour, that there was a treaty between Sardinia and France, was correct?—I cannot charge my memory exactly with what passed, but of course I transmitted the information immediately to Lord Cowley.

1162. I have referred to the despatch and I see that Count Walewski denied the existence of such a treaty; and subsequently, when Lord Russell succeeded your Lordship, the matter was again brought before the French Government and they again denied it?—Yes, very likely.

1163. The circumstance of this important piece of information being received in reference to Savoy occurred nine months, I believe, before the actual event; the event occurred in February 1860?—It occurred long before the event.

1164. I think I may ask you this very generally, whether your Lordship, from recollection, is not aware that for several months prior to the annexation of Savoy there was a general European belief of the intentions of the Emperor, and that that belief was not shared in by Her Majesty's Government until, in fact, the annexation had actually taken place?—There may have been that impression in Europe, but the first authentic information, information worth relying upon, was given in the way that I have said of the intention of the Emperor, under certain circumstances, to annex Savoy.

1165. But the Emperor denied that, and the Government accepted his denial?—You must accept what you hear. With respect to what are called small missions, I should not like to be supposed to agree with your definition of small missions, if you include in them Brussels and the Hague and Sweden and Denmark. I think that they are very important missions, and can hardly be called, in that sense, small.

1166. You would exclude them from the smaller missions as compared with Wurtemburg, Stuttgardt and the smaller German missions?—Yes.

1167. I must now trouble your Lordship in reference to another matter; your Lordship, in

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reply to Mr. Arthur Russell, stated that if one war (that is any war in Europe) were prevented in a generation, this country would have an ample return for the money expended in the diplomatic service; I may fairly ask whether the converse is not correct, namely, that if the errors of diplomacy produced war, the great expenditure arising therefrom may very fairly be set against the beneficial action of diplomacy?—I am not aware that diplomacy can be accused of creating a war; it may be accused of omission in not preventing a war which might have been prevented if the diplomacy had been properly conducted; but I should think one can hardly say that diplomacy has ever been the cause of a war.

1168. Except in the sense of failing to take the measures to prevent a war?—It may have been from error, or perhaps, as in the case you mentioned this morning, when it could not be helped.

1169. Mr. Hammond has laid before the Committee a list of the principal political events in Europe, and I should like to ask your Lordship whether in reference to the three principal wars in which this country has been engaged of late years, namely, with Russia, China, and Abyssinia, your Lordship is not of opinion that considerable diplomatic blunders have been made in connection with those transactions; I will take Russia first, and ask whether your Lordship is not of opinion that the Russian War might have been prevented if the diplomatic action of this country had been different from the actual course taken?—No, I am not prepared to say that.

1170. I think your Lordship is of opinion that the Russian Government, in consequence of the course taken by our diplomatic agency, were misled diplomatically as to the intentions of Great Britain in relation to Turkey?—I am not aware of the fact.

1171. I mean to ask your Lordship whether you do not think that if a different line had been taken by our diplomatic representatives in the first instance, and they had intimated to the Russian Government that any action in relation to Turkey would lead to war, that line of policy would have prevented the Russian War?—I think that perhaps if Sir Hugh Rose's view of the case had been followed up, when he wished us to send a fleet to the Dardanelles, it might have had that effect.

1172. I think that your Lordship, in reference to China, was of opinion that if Mr. Bruce had not acted in a precipitate manner that war might have been prevented?—I should not like to give any opinion upon facts of history which are long gone by, and the details of which are not fresh in my memory.

1173. Your Lordship said in the House of Lords, "In my opinion Mr. Bruce's fault, and his only one, was his not waiting for the reply to the despatch of the Commissioners who had forwarded his ultimatum to Pekin. I think he exhibited too much precipitancy;" and your Lordship implied that a more considerate course might have prevented the war in China?—No doubt I said that at the time.

1174. The other war was with Abyssinia, and I think I may ask your Lordship whether it is not the fact that the presence of a diplomatic agent and consul, namely Mr. Cameron, at Massowa, was the proximate cause of the Abyssinian War?—I can give no opinion on that.

1175. I think I am right in assuming that during your Lordship's administration, the policy of non-intervention in affairs in Europe was more observed than had been the case in previous Governments?—I thought that, no doubt, the best policy for England to pursue as a great principle.

1176. And in the case of very important events, namely, the wars between Italy and Austria, and Austria and Prussia, and the Luxembourg difficulty, I think the course pursued by Lord Derby's Government was that of non-intervention?—Yes.

1177. With regard to Denmark, I may just ask you whether, in connection with that Schleswig-Holstein question, there was not a considerable amount of diplomatic interference calculated to embroil this country in Europe; I mean diplomatic interference in connection with Denmark and Germany at Copenhagen, at the early part of the events before the war broke out, when certain promises of support were given to Denmark as against Germany?—I was not in office then, and I cannot answer that.

1178. Your Lordship is not prepared to adopt the opinion that that diplomatic policy was a "meddling and muddling" policy?—I give no opinion as to that.

1179. I will now, if you please, ask your Lordship a question in relation to the position of the Parliamentary Under Secretary of State; I wish to ask you whether, in your judgment, it would not be desirable for the Parliamentary Under Secretary of State to have a position in the Foreign Office of a more important character in connection with the Permanent Under Secretary than he has at present; I find that in the arrangement of the business of the Foreign Office, the most important missions in Europe are under the regulation of the Permanent Under Secretary, not under the direction of the Parliamentary Under Secretary; is not that the fact?—When I was there, the whole was under the direction of the Secretary of State—all the foreign appointments.

1180. And then with regard to the distribution of European business, a certain class of the business connected with our missions abroad was under the direction of the Permanent Under Secretary, and a certain portion under the direction of the Parliamentary Under Secretary; was it not?—I can only say that when I was Foreign Secretary nobody was promoted, and no move ever took place, without my knowing it and approving of it.

1181. With regard to the nomination of attachés, your Lordship expressed an opinion against open competition; but would you not be prepared to alter the present system, so far as to give a larger amount of competition than at present exists; might there not be a certain amount of competition brought to bear in connection with the nomination of attachés?—I do not think that a large competition would be desirable.

1182. What would your Lordship think of this plan, that the Civil Service Commissioners should once every year hold an examination open to all British subjects who are desirous of entering the diplomatic service; that the Civil Service Commissioners should then certify to the Foreign Secretary the names of the 12 candidates who had distinguished themselves most highly in such examination, and that from these 12 the Foreign Secretary should select persons to be appointed to

o attachéships during the next 12 months?—I do not think that that would answer; I think that the diplomatic service is a very peculiar one, and, as I have said before, the persons who enter it ought to be chosen from a particular class, men of a certain kind of education, and who have been accustomed to go into society, and also who have got a certain fortune.

1183. But with respect to the fortune, your Lordship would not regard that so much if the unpaid service were done away with and attachés were paid in future?—I am afraid that they would never be paid enough to live comfortably if they had nothing of their own.

1184. Would you consider that the nomination by the universities of a certain number of eligible candidates for the service might be a proper means of introducing persons as attachés?—I do not think so; because the university might very likely recommend a man who was a very clever man in his way, but a mere bookworm, who would not be suited to the diplomatic line; but I think that a degree at the university should always be a recommendation.

1185. I see that your Lordship, in reply to Question 718, said that even if the heads of missions were strangers, it would never do to have perfect strangers appointed to the lower posts; but if secretaries of legation had been for some time at the missions, would it not be perfectly practicable to appoint strangers over their heads without any disadvantage to the public service?—And that has often been done.

1186. Does your Lordship see any reason why that should not be the case, having regard simply to the public interest, and not to the personal feelings of the individuals?—I think myself that the service can be perfectly well performed and the country perfectly well served at the permanent missions from the body of men who are looked upon as professional men in the service without going out of the service for others. At the same time there may be circumstances which would render it desirable that a particular person should be sent to a particular place, although he is not in the profession. But there is another objection to the system (if it is that which you allude to), of changing the minister or ambassador with the change of Government at home, and it is this, that it would increase the expense very much in the way of outfits. You must have an outfit every time you change a minister, and an expensive outfit; if you change an ambassador in Vienna, Paris, Russia or Constantinople there is a very large sum always alowed for outfit.

1187. That, of course, would, as a matter of economy, entirely depend upon the amount of salaries paid to the minister or ambassador, and also upon the proportion which the outfit was arranged to bear to the salary?—I assume that they are now paid no more than they ought to be paid with the obligation which they have of representing this country honourably.

1188. But does not your Lordship think that if public men of mark, and of political position, were appointed as heads of missions, they might probably be in a position to exercise greater influence abroad than men simply connected with the diplomatic profession?—There might possibly be circumstances in which such might be the case. Under certain circumstances, when such a man as the late Duke of Wellington were sent he might have an influence which an individual less great would not possess; but if you speak generally of the principle of conducting the diplomatic service, and are supposing that it would be better served by introducing strangers in that manner with a change of Government, or at any other time, I think you assume that there are not to be found men now in the service who are fitted to fill those posts; and my decided opinion is that in the service you will always find men perfectly fit to fill those posts without going outside.

1189. Yet your Lordship is quite aware that during the last few years several occasions have occurred on which special missions have been appointed, and men of influence have been sent over from here to undertake important negotiations over the heads of the ministers abroad?—But that was only a temporary superiority. It may be of advantage to send a special man for a special purpose, but that is only a temporary business.

1190. Mr. *William Lowther*.] With regard to special missions, are there very often special missions for such purposes as giving the Garter, and so forth?—Yes.

1191. It would never do to take a minister from his post, and send him on a special mission in such a case?—No, certainly not; they are complimentary missions.

1192. I daresay you know cases of outsiders being taken and made heads of missions; without specifying them exactly, do you think that on the whole they have been successful as heads of missions?—No, I do not think so; my experience is against it.

1193. You say, in answer to Question 703, "I think that the chief cause of the block is the fact that the Secretaries of State have appointed too many attachés, and filled up the service too rapidly. I think it might be relieved now in this way: I have no doubt that there are some of the attachés who would be glad to accept consular missions rather than wait many years for a diplomatic one, and some of those might be named as soon as consular posts were open; and, at the same time, the block might be relieved by checking the creation of new attachés, in fact, acting as you would in the army or navy;" now, on referring to the Foreign Office list, I find one ambassador who has never been attaché, ten ministers who have never been attachés, six ministers who have never been paid attachés, six ministers who have not been secretaries of legation; do not you think that the block is very much caused by putting in people who have nothing whatever to do with the profession?—It would certainly cause a block if you put a stranger over the head of all the attachés.

1194. Because, now, I think an attaché is compelled to go through an examination?—Yes.

1195. He is obliged also to have a certain amount of fortune?—He ought to have it.

1196. It is necessary, I mean, that he should have a certain amount of fortune?—Yes.

1197. He invests his talents and his money for a certain number of years in that profession?—Yes.

1198. And when he comes to be very near one of the great prizes to which he has been looking for the last 20 or 30 years, he suddenly sees it taken away from him by the introduction of a perfect stranger?—I disapprove of that.

1199. With regard to foreign ministers entertaining people abroad, I think there are very often

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often applications to the Foreign Office for letters of introduction, well known under the name of "soup tickets"?—Yes.

1200. Those are given to Members of Parliament and to friends of Members of Parliament, and when taken to ministers living abroad they are presented and honoured in the shape of a dinner; do you know that to be a fact?—Sometimes they are.

1201. Generally?—I do not know that; sometimes they are.

1202. A gentleman when he enters the Foreign Office as a clerk receives a salary at once?—Yes.

1203. An attaché only receives it after four years?—Yes.

1204. Why should not an attaché be paid at once on entering the diplomatic service?—I see no reason at all why he should not, if he does his work like the others.

1205. I think your idea is that the responsibility of heads of missions is diminished now when compared with what it was, we will say, 30 years ago?—In consequence of the telegraph.

1206. But do not you think that the work has considerably increased?—It does not diminish a minister's work at all, it rather increases it.

1207. And while increasing his work does it not increase his responsibility?—That does not follow.

1208. I suppose that there are very often negociations going on, and escapes from wars and bad feeling, between Governments, that the public in England knows nothing of at all?—No doubt, many.

1209. And it is not advisable that they should know about them?—It is better that they should not.

1210. Where are consuls generally taken from?—I think from the middle class very much, and men who have some acquaintance with mercantile matters and other business.

1211. Sometimes gentlemen connected with the press?—I remember some who were connected with the press.

1212. I think the deduction from the minister's pay begins the moment that he leaves his post to come on leave?—From the very day.

1213. And do you not think that that is right?—No; I think that it is extremely unfair upon him, and, as I have said before, a very clumsy way of paying the chargé d'affaires.

1214. When do you think the deduction ought to begin?—Not till his full leave is passed, and the time has come when he ought to be at his post again.

1215. You would not deduct any pay at all from him?—I would not; it is the only service in which such a thing is thought of.

1216. Now, secretaries coming on leave have nothing deducted from their pay?—No.

1217. With regard to the smaller missions in Germany, you would be in favour of retaining them?—Those that are now in existence.

1218. Are you aware that very often information can be obtained more easily from those small courts of what is going on in the large courts than can be obtained at the large courts themselves?—No doubt; there is less discretion.

1219. And in regard to Coburg, there are a great many of the so-called German ideas which come from there?—Yes.

1220. Supposing that there were no mission at Dresden (there is now, I believe, a chargé d'affaires), who could attend to the claims of the British subjects in Dresden, of whom there is a large number?—I do not know whether there is a consul there or not; there ought to be somebody, certainly; it is quite an English colony.

1221. With regard to leave of heads of missions, you are in favour of their coming continually to England?—Yes; and that is the opinion of the last Committee that sat upon this subject.

1222. Mr. *Otway*.] You have been asked many questions about the admissions to the diplomatic service, and also to the Foreign Office; is it not a fact that by the necessary management of diplomatic and Foreign Office business, young men are in possession, constantly, of very important information?—Certainly.

1223. As far as your experience goes, that confidence has never been betrayed, or at least I will put it that the confidence reposed in these young men is well deserved?—I will say more than that; I never knew a case when I was in the Foreign Office of anyone betraying the confidence of the office.

1224. Could you feel that confidence that your experience of the office has given you if the young men appointed to that office came into it on competition of any sort, and you had not the means of knowing their antecedents and their general character?—I should, personally, certainly not have the same confidence in men of that description as in the class that now enter it.

1225. Is it not conducive to the advantage of the public service, that the Secretary of State presiding over such an office, and over diplomacy generally, should feel that the young men employed in transmitting information of so confidential a character are thoroughly trustworthy; is it not almost essential?—Certainly.

1226. You have been asked some questions as to information of an important character, which you stated to have been given while you were Secretary of State; I presume that it is important at all times to get the earliest information of any political event?—No doubt.

1227. And on this occasion you did get information from Hanover of a very important circumstance, which afterwards turned out to be correct?—Yes.

1228. And therefore that information had the value, at the least, of being early intimation of an important event?—Yes.

1229. Your Lordship has been asked some questions with regard to the expense of young men living abroad, and Mr. Lowther asked you just now whether you did not think it desirable that an attaché, on entering the service, should be placed upon the same footing as a clerk in the Foreign Office; do you consider that the pay of 100 *l.* a year, which is the pay of a clerk in the Foreign Office, would be of any real importance to a young man living in St. Petersburg, Vienna, Paris, or Washington, as an attaché, and that he could live in any way on that pay?—He could not live upon it; but I have a great objection to public servants acting as volunteers, and that 100 *l.* would always be an object to a man if he had only 400 *l.* a year; it is a retainer, in fact; he is thoroughly then enlisted in the service of his country; and I think it is an objectionable plan, and nothing can be pleaded for it except economy, for this country to accept the services of those men gratis.

1230. Your Lordship is opposed to unpaid service,

vice, like many others; but is it not a fact that an attaché may be paid, and has been paid, by more advantageous arrangements, which have been made with regard to his pension; no doubt your Lordship is aware of the regulation by which now an attaché gets his pension very much earlier than he would have obtained it under the former regulations?—I have heard so.

1231. I will ask you a question in consequence of one put by Mr. Rylands, which seemed to me to point to an impression on his part gathered from some remark at some time made by your Lordship, that Mr. Bruce had been the cause of the China War; and he deduced from that, as I understood him, the fact that the existence of diplomatists in China had caused the war; but I presume that the war would have been caused whether Mr. Bruce had been there or not; your Lordship never meant to say that the fact of a diplomatic agent being at Pekin was the cause of the war?—No; if I recollect rightly, the cause was an outrage committed upon a British ship.

1232. I wish to ask if your Lordship's attention has been directed of late years to the anomalous state of our representation in Rome?—My attention always was directed to that.

1233. Is your Lordship of opinion that it is satisfactory that a country like this, looking to the numerous Roman Catholic subjects of the Queen, should be represented in what I may call a surreptitious manner?—I have always regretted that what is called the Eglinton Clause was passed in the House of Lords.

1234. *Chairman.*] Do you think it would be for the public interest that that clause should be repealed?—I think that it would be an advantage to this country if the Pope were represented here, and, *vice versâ*, we at Rome.

1235. Mr. *Otway.*] I do not know whether it would be a fair question to ask you, but I should like to ask whether you do not think that so great a change has taken place in public opinion of late years in these matters, that the feeling manifested on that occasion in regard to the Eglinton Clause would no longer be shown on the subject?—I could not answer as to that; but my own opinion is that we ought to have a representative at Rome, and the Pope one here.

1236. You have stated that you think that there should be no deduction from a minister's pay on his coming on his regular leave of two months; but does it not appear to you that from some missions it is absolutely necessary, as a matter of justice, that a mnister should have the power to come for more than two months, at least to run their two years' leave into one; I will refer to South America, for instance, where the whole time of the leave would be taken up in the voyage?—No doubt.

1237. Your Lordship's opinion is that it is necessary, in justice, that some alteration should be made with regard to the leave of ministers, that they should be allowed to take four months, two years' leave, at one time?—Yes; cumulative leave of absence.

1238. *Chairman.*] With regard to the applications for admission into the Foreign Office, as compared with the applications for attachéships, do you find much greater pressure to get into the Foreign Office than to get into the diplomatic service, or *vice versâ*?—There are more applications for the attachéships, because there is no limit as to them. There are no applications for the other; there may be prospective applications, but it is not often that there is a vacancy.

1239. But as I understand, there is a considerable pressure, even with the disadvantages of the service in a pecuniary sense, to get into the diplomatic service?—Certainly.

1240. Did you hear Sir Henry Elliot's suggestion about having a strict examination upon entering into the position of a second secretary of legation, as a mode, to a certain extent, of relieving the block in the service?—Yes, I did. I think it is a good one.

1241. Do you think that that would work satisfactorily?—I think it would.

1242. Mr. *Cameron.*] With regard to Mr. Bruce's conduct in China, I wish to ask your Lordship whether it was not perfectly well known, not only by the Foreign Office, but by everyone who had taken an interest in public affairs in the East, and by those who had followed the course of our policy in China, that at the time of the rupture and the affair of the Peiho, the war party in Pekin were in the ascendant; that they had determined not to carry out the provisions of the treaty, but to resist the execution of it to the utmost; and was not that the cause of the rupture?—As far as I recollect; but the circumstances have not been brought to my attention lately.

1243. It was perefctly well known that war was inevitable, whatever the conduct of Mr. Bruce might have been, whether he acted with precipitancy or not?—That is my impression, and he was not the original cause of the war.

1244. I believe you have stated that you do not approve of doing away with the missions in Denmark and Sweden?—Certainly I do not.

1245. Although of course we all hope that such a thing may never happen, it is still a possibility that some day or other we may be engaged in a war with Russia?—It certainly would be against our interests not to be represented at both those courts. It has happened within the last century three or four times, that Sweden and Denmark have been on opposite sides, and each requires a separate minister.

1246. And if we were to go to war with Russia, and we had no representative in Denmark and Sweden, while the Russian Government had representatives there, I suppose there is no doubt that our position as a naval Power in the Baltic would suffer?—It is of the utmost importance that we should be well represented in those countries.

The Right Honourable Sir Henry George Elliot, G.C.B., called in; and further Examined.

1247. Mr. *Sclater-Booth.*] You stated in you examination the other day, that you considered it possible that some reduction might be made in the consular establishments of the Levant?—Yes, I think there are a few reductions that might be made; not very many, but there are a few.

1248. It is probable that you may not be here when the Committee enters upon that part of its investigation, and I should therefore like to know whether you have matured your opinions upon that subject and laid them before the Foreign Office?—Yes, the Foreign Office are in possession of all my opinions with regard to the reductions

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ductions that might be made in the Eastern consulates.

1249. Mr. *Eastwick.*] In your answers to Questions 831 and 832, you have stated that before examinations were instituted a great number of gentlemen became attachés who had no intention of following up the profession; those were men of property, I suppose?—Everybody at that time was necessarily possessed of very considerable means who entered the service, because they remained a very long time unpaid, and were not paid at the end of four years then as they are now.

1250. Would you not say that there are now very few men of property in the diplomatic service?—It is difficult to say exactly what you call a man of property, but they are all possessed of private means, and must be so necessarily.

1251. Probably you would say less so now than at that time?—At present an unpaid attaché may be sent to St. Petersburg or to Buenos Ayres, for instance, and in both those places we are told a young man cannot live under 700*l.* or 800*l.* a year. If he is not a paid attaché, and goes and lives there, I presume that he must have some means of his own.

1252. At the same time if they were men of property, there would not be the same difficulty about it of course?—The difference rather is in regard to men of expectations, elder sons, people who were heirs to property, who went into the profession before, and after being employed in an honourable profession for a certain number of year, then retired.

1253. You would say that now there are fewer of that class?—Certainly.

1254. Does the present system ensure any other qualification for the service than that of social position?—The examination ensures your having a person who has received a proper education.

1255. But nothing beyond that?—Nothing beyond that.

1256. You have stated in answer to question 1003 that if the diplomatic service were thrown open to competition, you would not feel yourself justified in introducing those who would then enter it into society abroad if you had other acquaintance with them; would you feel the same objection if the competition were restricted to the universities?—I should feel it in a less degree, but I should still feel it.

1257. *Chairman.*] You were at the university yourself, I believe?—I was at the university myself, but I did not take a degree.

1258. How long were you residing there?—I think about a year and a half.

1259. Mr. *Eastwick.*] Is not a commission in a distinguished regiment a passport to good society, and if so, will you explain why a commission in the diplomatic service given to graduates in honours at the universities should not also be a passport to such society?—I am not aware that the fact of a man having a commission in the army gives him an entry to society in the same degree as in the diplomatic service.

1260. Is it not the fact that the captain or major of a regiment has a passport to good society in his position?—It may possibly be so, but I am not aware of it.

1261. In answer to Question 841, you said that you would shelve a man who could not pass a strict examination imposed on him without warning, after he had been eight or ten years in the service; would not that be rather unfair, and would it not be wholly unnecessary to have a second examination if appointments were given to graduates in honours who on entering the service could show proficiency in history, international law, and modern languages?—My object was to endeavour to afford an inducement to the men to work at their own profession. By giving your appointments to men who had graduated in honours, you would secure distinguished young men, but a subsequent examination would show whether a man had worked at the profession, and made himself master of the line he had adopted; and I think that it would have the advantage of enabling you to know the men, and to bring them forward more by selection hereafter, than by the strict seniority system.

1262. But would you not have a sort of guarantee when a man had taken honours at the university, and had passed a distinguished examination on entering the service, that he would be the sort of man who would continue to apply himself to public questions?—I think that generally speaking you might assume that he would be more likely to work seriously than a man who had not taken that trouble with himself in the first instance.

1263. And would it not be rather an advantage to dispense with the second examination in that case, because in the first place, it would surely be rather unfair to put a man again to the test of an examination; I suppose you do not propose to drive him from the profession altogether after seven or eight years' service, but even to retard his natural advancement, would be rather a hard measure, would it not?—A man may take the highest possible honours, and may still not have learnt a word of a foreign language.

1264. But I am supposing that, in the entrance examination, he was tested in that knowledge?—But supposing that at the entrance examination, you required a knowledge of French, you would not probably require much more than that.

1265. French and German I am supposing?—If I found that a man had lived a number of years in Italy, and had not thought it worth while to learn the language, I should not think it any hardship if he were passed over by some one who had taken that trouble.

1266. But would it be at all probable that a man who had passed such an examination, as I am supposing, would not master the language?—No; I do not hold to a severe second examination for a man who really has distinguished himself before he came into the service, but I think it much more essential that the general severe examination should take place at a later period than at the first entry.

1267. If the selection were made by the authorities at the universities from men who had taken honours, might not nominees, with every qualification for the service be secured, because the heads of colleges would be able to judge of their character, and whether they were qualified?—I do not think that it would be easy for the heads of colleges to judge of the qualifications that are required for the diplomatic service.

1268. They would know in the first place whether a man had property or not, and in the second place whether he was a man of ability?—They might know his general ability, and no doubt they would.

1269. Can you explain the reasons of the failure of the scheme for Oriental attachés at Constantinople?—I cannot explain it properly;

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t is a good many years ago, namely 25, since it vas tried; student attachés they were called.

1270. You are aware that Mr. Hammond stated that it was a scheme which he looked upon as very advantageous, and promising very well?—It was a scheme which Mr. Hammond was very anxious about indeed, but I suppose it was found practically by the ambassador, at the time, more convenient to himself to employ other people than these people that were sent out to him.

1271. Do you see any objection, except on the score of expense, to a table being provided for the staff of a mission by Government, as, for instance, at Tehran?—I doubt whether it would be found convenient: I should rather pay the men sufficiently to enable them to provide their own table. You have one man who likes to dine out a great deal, and one man who likes to dine at home, and I think it would be practically difficult to provide them with a table; I should rather pay them sufficiently to enable them to provide for themselves.

1272. Would it not be more economical to have a general table than to give a separate allowance; I am speaking now of such expensive places as Buenos Ayres for instance?—You would have to make constantly changing arrangements; first of all you may, at one moment, have three or four bachelors in your legation; then three months later you may have a married man; then, after a little time, you may have nothing but married men; and I think that the arrangement would be found difficult.

1273. If a table were so provided, and an allowance of 100 *l.* a year, with 50 *l.* additional each year up to 250 *l.*, were given to attachés, would a property qualification still be requisite?—I do not think that would be sufficient pay in many of the more expensive places.

1274. At all events it would be a great assistance?—No doubt it would be an assistance.

1275. In case of diplomatic officers being thrown out of employment by the suspension of relations with a government or by the suppression of a mission, would it not be fair to make some allowance to such officers until they could be re-employed?—There is a regulation under which that can be done; a regulation made after the last Committee of the House of Commons. If relations are suspended, the Secretary of State has authority to make an allowance to such diplomatic servants as may not be qualified for their pension until they are re-appointed.

1276. Has any alteration been made in consular jurisdiction in Turkey since 1861; and are you aware that any alterations have been suggested?—I am not aware of there having been any alterations since that time. There are alterations suggested at this moment with regard to Egypt which are at present before the Foreign Office.

1277. Solely with regard to Egypt?—Solely with regard to Egypt.

1278. There has been a commission to inquire into the subject?—In Egypt there has.

1279. Were you consulted at all with reference to that?—I saw all the correspondence on it, and could express any opinion that I had on the subject; but, generally, it was a matter which was conducted by direct correspondence between our consul general in Egypt and the Foreign Office.

1280. You have said that the proportion of commercial despatches to political, at the embassy at Constantinople is about one-sixth?—About that.

1281. Can you state what is the proportion of letters sent by consuls on commercial matters to letters sent by them on political matters?—Speaking off-hand, I could not give anything like a notion of the number; they would vary, not only from place to place, but even from year to year.

1282. But, on the whole, have you the impression that you receive a great number of political subjects from consuls?—The term "political subjects" includes their reports, I suppose, on the political state of the country. We are kept acquainted with the state of the country by the consuls throughout all the Turkish empire, and those I should call political reports, even though they might to a certain extent involve commercial questions also. It is almost impossible to draw the line between commercial and political questions. Now there is a question that we have to deal with at Constantinople which is very distinctly a commercial one, in which the political element comes in very largely; I mean the navigation of the Dardanelles. The passage of the Dardanelles by merchant ships at night has been lately the subject of a great deal of talk. We pressed on the Turkish Government to facilitate the passage upon commercial grounds, and they objected on political grounds. Does that correspondence come under the political or under the commercial department? And we have many such cases. The quarantine question is an illustration of the same thing. It gives us a great deal of trouble and a great deal of correspondence; but it is doubtful whether it should be classed as a political or as a commercial one.

1283. Do you see any objection to consuls sending their letters on commercial matters direct to the Board of Trade, and furnishing only a monthly précis of their correspondence to the Embassy, except in the case of very urgent and important matters, and would not that system effect a saving of time and expense?—I do not know with regard to expense, but with regard to time, in most cases I believe that it would be a loss of time. A great number of commercial questions have to be settled between the minister of the country in which the consul resides and the Government. When the consuls write to the Foreign Office, they send a copy of their letters to the minister, and he can immediately enter into communication with the local government upon that matter, and very likely arrange it without any instruction at all from the Foreign Office. I think that we must have one master, and that we could not correspond so well with two.

1284. Do you see any objection to separating mere shipping consuls from those who have political or judicial functions, and placing the former directly under the Board of Trade?—I see the same difficulty that I have pointed to with regard to the questions that arise, namely, that it would be difficult to say which are purely commercial and which are partly political; in the East, most of the consuls are more or less political.

1285. In Europe there are many places where they are simply commercial?—Yes; the large majority of cases in Europe are such.

1286. And would it not be quite as advantageous to place those under the Board of Trade?—I think it would lead possibly to confusion, but certainly to loss of time.

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1287. You think that there would be references made to the Foreign Office?—I think that on all matters which required a reference to the minister you would have lost a good deal of time by going to the Board of Trade; they would then refer to the Foreign Office, and the Foreign Office to the minister.

1288. Could you give any idea of the proportion of correspondence at the embassy at Constantinople on Persian matters?—No, I cannot; Persian despatches pass through our hands; they are sent under a flying seal.

1289. I am speaking rather of your correspondence with Tehran, and references as to disturbances on the frontier, or other matters?—Sometimes I have not had occasion to write to Tehran once in eight or ten months, and then in the course of two or three months I may have had frequent communications to make.

1290. I suppose since the boundary has been settled there has been less correspondence?—There has been less correspondence since that time, but it is a boundary that will never be very positively settled.

1291. Would you consider service at Constantinople good training for service at Tehran, and *vice versâ*?—I have no knowledge of the service at Tehran, but I should imagine that there was a very decided similarity in Eastern Governments, and that it must be a good training.

1292. There is not a very good feeling between the Turks and the Persians?—No.

1293. Mr. *Richard Shaw.*] In your evidence the other day you suggested, as a remedy for the block in the diplomatic department, the transfer of attachés to consulates; do you throw out that suggestion as a permanent, or only a temporary arrangement?—I suggested, in order to get rid of the present block, that diplomatic servants should be invited to volunteer for consulates; I would not force them to go to them, but in order to give greater power of selection, I suggested that for the future the young men entering the diplomatic service should be told that till they rose to a certain rank (which I think should be that of secretary of legation) they were all liable to be drafted into the consular service, if the Secretary of State thought that they were better fitted for that than for the diplomatic service.

1294. That would be a permanent arrangement?—Permanent for men not at present in the service.

1295. Suppose your suggestion carried out, what guarantee have we that in the course of a few years we should not have another block in the service?—I have proposed, and insisted very strongly on the opinion that I hold on the subject, that the staffs should be kept in the lowest possible state compatible with efficiency; I think that that is the only security which you can have against a block, and even that would probably not be sufficient to ensure a fairly rapid promotion.

1296. Then you are of opinion, I presume, that it would be better not to make any additional appointments at the present moment?—I express no opinion with regard to the additional appointments to be made. As I have said, that must be regulated by the reports which the Secretary of State receives from the different missions as to their special requirements.

1297. But unless the nominations are regulated in the future we might have a repetition of this block at no distant date?—It is possible that the demand for junior members may be so great that there may be a chronic state of block; I cannot express an opinion on that point.

1298. With reference to the non-payment of attachés, I think you said the other day that you had heard repeated complaints of their having to work gratuitously; did they not know the terms when they accepted their nominations?—Yes, and I do not think that the complaints were so much of having to serve gratuitously as of the finding that the period during which they had so to serve was very much longer than they had expected. That was remedied to a certain extent by the recommendations of the last Committee by which they were paid after four years' service.

1299. Is the training of attachés essentially political?—The training of the attachés is so far essentially political, that all their work is connected with political matters.

1300. After what length of service would you allow an attaché to send in his claim to the Foreign Office for transfer to the consular department?—In the case of all those at present serving, I should be disposed to listen to their applications for transfer into the consular department.

1301. Then you would have no limit at all?—No limit.

1302. Merely subject to the fitness of the party?—Subject to the fitness of the party; I should only like in the case of a man despairing of promotion, that if he asked to go into the consular service his application should be taken into consideration.

1303. In answer to question number 1001 you told us that the business of a consul is essentially of a commercial character. Would you test the attaché's knowledge of commerce before appointing him to a consulate by some examination?—I think that he might very well be made to pass the examination that consuls would have to go through if you thought it necessary; but I believe that the diplomatic examination is so much more severe than that for the consulates, that it ought to be held sufficient.

1304. It is essentially different, is it not?—Not so different, I think, as to make it at all necessary to repeat the examination; I think that examination which he has already gone through as a third secretary would be amply sufficient.

1305. Do you think that young gentlemen trained in the school of diplomacy, and mixing in the best society at foreign courts, are a suitable class of gentlemen to select for commercial consuls?—I think that many of your consuls are selected from the same class of society as the attachés, and if the attachés wish to go into that service I do not see that there is any objection to their doing so.

1306. You stated, in answer to Question 852, that you deprecated amalgamation of the two services, on the ground that it would not be advantageous to have a consul trying to bring himself into notice as a political writer; and referring to the French system, you said that you had seen that effect produced. Do you not think that if your suggestion were adopted, and a number of young diplomatists were appointed consuls, you would be most likely to bring about that objectionable state of things?—I do not think that you will ever have a sufficient number of young diplomatists appointed to consulates to be likely to create the smallest inconvenience in that respect.

1307. Have

1307. Have you any idea what number of transfers would relieve the diplomatic department of the existing block?—No, I have no idea of that; because it would be difficult to say exactly what you consider a block, whether you would consider that a man ought to have been promoted when he had had 15 years' service, or when he had had 12.

1308. But if the change is to be permanent, as you suggest, you might in the course of time get an immense number of these young gentlemen in the consular department, might you not?—Not unless you make a great many new entries into the diplomatic service.

1309. But there is no limit to the number of entries at present, excepting the discretion of the Secretary of State?—That ought to be a sufficient safeguard.

1310. Do you not think that it would open a very wide door at the Foreign Office to applications and appointments unless there was some limit put upon it?—I do not see why any door need be opened at all; the Secretary of State appoints to consulates now without any control, if there are vacancies. I do not see any reason for supposing that he would wish to encumber the diplomatic service with unpaid attachés; it would not increase his patronage in the smallest degree, except for the unpaid posts, which are not what people are anxious for.

1311. May I ask you why you exclude the secretaries of legation from this proposed boon of transfer to the consular department; I think you said that you would not go above attachés?—That was with regard to the forced transfer; the secretaries of legation would not look upon it as a boon if they were rendered liable to be transferred from that post to that of a consulate without their own consent being asked; I consider that when they have arrived at that point they have earned the right to remain in the service.

1312. But I think that I am right in assuming that if you were to appoint a number of secretaries to vacant consulates you would relieve the existing block in the diplomatic department equally as you would relieve it by appointing attachés?—Certainly you would leave vacancies in that case, and would have the power of promoting the junior secretaries to the places vacant.

1313. Suppose that any of the existing secretaries of legation were willing to accept a consulate, would it not be unfair to promote over their heads junior members of the service to posts carrying larger salaries than those of the secretaries?—I said that I should always like to see the wishes of the secretaries of legation attended to if they were anxious to go into the consular service.

1314. If you throw open the consulates to the attachés and secretaries of legation, would you not, in effect, be establishing that amalgamation which the other day you rather deprecated?—There would be a certain amount of amalgamation, but it would not be encouraging to the consuls to make themselves diplomatic personages in order to be brought into the diplomatic service.

1315. That is to say, you would amalgamate for the benefit of the diplomatic department, but not for the benefit of the consular department?—I do not call it amalgamation.

1316. If you throw open all the consulates to secretaries and attachés, that is virtually amalgamation, so far as they are concerned?—I do not call that amalgamation of the services. At present you do not exclusively select your consular agents from the vice-consular body, but you take them from every other class of Englishmen, and I would only say that a man who was a diplomatic servant should be as eligible as if he were an officer in the army, or navy, or militia, or anything else.

1317. Do you not think that the appointment of attachés and secretaries to consulates, would create great dissatisfaction in the consular branch of the service?—It would naturally create great dissatisfaction, if the appointments to the consulates were now confined to the vice-consuls; but a large portion of the consuls have never been vice-consuls, but were taken entirely from outsiders; and I do not see that the vice-consuls therefore would suffer by these outsiders coming from the diplomatic service, rather than from the general mass of the population.

1318. What would be the class outside, who are hoping some day to get these appointments, who would be greatly dissatisfied if you threw them open in that way?—I have no knowledge of what the class outside expect or hope, but am simply considering what would be best for the general efficiency of the two services.

1319. I will take the case of Boston as a test. The consulship at Boston appears by the returns before us to be worth 2,000 *l.* a year. It is now vacant. Suppose a young attaché appointed consul at Boston, do you not think it would be felt as a great grievance by every man in the consular service who was looking for promotion?—It would be so likely to be felt as a grievance, that I do not think it probable that any Secretary of State would make the appointment.

1320. And you would rely upon that?—Yes; but I think that the abuse would be quite as great if the Secretary of State were to appoint a young man of whom nothing was known, as it would be if he appointed a young attaché to the post.

1321. There are certain prizes in the consular department, as in every other department?—I should be very sorry to deprive the consuls of their prizes; I think they earn them, and deserve them.

1322. Are not our consuls, as a rule, selected from a class distinct from that which furnishes our attachés?—Yes, they are not precisely of the same class; but at the same time, there are a great many in both services that might equally well belong to the sister service.

1323. But in the higher service, it is a matter of necessity that the young gentleman shall be a gentleman of position and property, having 500 *l.* or 600 *l.* a year?—It is very unfortunate when he is not.

1324. That necessity does not exist for the appointments to the consular department?—I suppose not.

1325. If then you were to make attachéships in the future a stepping-stone to the consular department, do you not think that the former class would be greatly dissatisfied?—Do you mean the class of consuls or expectant consuls?

1326. The class outside who furnish us with our consuls. If you were to make an attachéship the stepping-stone in the future to a consulship, would that not practically be excluding the class who now furnish us with our consuls, and afford them just ground of complaint?—I cannot speak

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to what their feelings would be. I do not think that a man is less qualified for a consulship because he happens to have 200 *l.* or 300 *l.* a year of his own; the services are not now recruited entirely from different classes, for in the diplomatic service there are many men of certainly no aristocratic connection, and who might have belonged to the consular or any other service.

1327. Passing to another subject, I see from the Votes of last year that the number of persons engaged in our consular department in Turkey is 42; that the money voted for salaries and office expenses was 25,965 *l.* Do I rightly understand from the reply that you gave to an honourable Member a short time ago, that you had furnished the Foreign Office with some suggestions for effecting a diminution in this large staff? —The Foreign Office asked me some time ago whether there were reductions that I thought could be made in the consular service of the East. I went over the matter, and I then stated what I thought could be done, but I am afraid that the reductions cannot be very considerable.

1328.—Since the cession of the Ionian Islands, has not the number of British subjects residing in and trading with Turkey very much diminished? —The number of British subjects residing in Turkey has very much diminished. British trade, on the other hand, is increasing very largely.

1329. Has any reduction in the consular staff taken place since the cession of the Islands?—Not since the cession of the Islands, that I am aware of. I have already recommended, in consequence of the diminution of business at the Embassy, that there should be a very considerable reduction in our staff.

1330. But I am speaking of the consular department only?—I think, as far as my knowledge of the consular department goes, that it is very thoroughly employed.

1331. Have you ever considered the proposal to collect our consular fees by stamps?—No.

1332. Does any objection occur to your mind to the introduction of that system; you probably know the system that we have in all public departments in England?—No; I do not know the system at all.

1333. Referring to our consular establishments in Asiatic Turkey, I find that there are 19 officers with salaries amounting to 8,160 *l.*, and, including allowances, to 10,190 *l.* a year; are these political or commercial consuls?—They are both political and commercial. All our consuls have more or less a political character in the East, especially if you call the protection of the interests and of the persons of British subjects a political matter.

1334. May I ask you what is the nature of the interests that render it necessary to maintain this large staff at so great a cost; what are the political interests of this country in the matter?—Our consuls have a judicial character in the East. Our own people by the treaties must be judged and imprisoned, if necessary, by British officers, and we cannot well say to the Turks that they are not to interfere with Englishmen, but must leave them to the English authorities unless we keep sufficient number of authorities to deal with them as the occasion may arise.

1335. But the number of British subjects in Asiatic Turkey is extremely limited?—Of the "stationary" British subjects it is.

1336. And is not the whole trade of Asiatic Turkey carried on by other than British subjects, chiefly by Greeks?—There are a great many British mercantile houses that have their agents and interests in Asiatic Turkey.

1337. I find from a Return laid before the House, that the total population of British subjects in Asiatic Turkey is only 551?—That is of the resident British subjects; but it does not follow that because there are few British subjects there, there are not very large British interests involved; for many of our large British houses will have Greek agents or Italian agents, or other people, who refer to us if there is a British interest involved.

1338. You think that the individual British interests there require the maintenance of this large staff?—I think that the interests of British subjects and of British trade are decidedly very much benefited by the maintenance of a large consular service.

1339. Looking at it from the trading point of view solely, suppose we were to substitute resident merchants as our consuls in the East, would such a change affect in the slightest degree the sale of our manufactures; I ask the question with regard to trade only, and not with regard to the judicial functions of consuls?—I do not see how you can divide them; but, in the first place, if you make a trader a British consul you put him in a most exceptionally favoured position as regards all others; and his official position would ensure him advantages over other merchants.

1340. I do not see how he would get any advantage; in what way would he?—In all his dealings with the authorities.

1341. Do you mean that he would be favoured by the authorities?—Unquestionably.

1342. Do you consider the political events in Asiatic Turkey of sufficient moment to justify so large and expensive a staff?—Yes, I believe that we are very deeply interested in the political state of the whole Turkish Empire. It is impossible to suppose that a great convulsion could take place there without our being, if not directly involved in it, at least, very much affected in our interests.

1343. But from what quarter could that arise?—It may arise from many quarters; but it is impossible to foretell from which.

1344. Would you be kind enough to explain to me what is the necessity of a consular establishment at Belgrade (I am now in Turkey in Europe, of course), at a cost of 1,300 *l.* a year; I find the number of British subjects there returned at three, and no trade?—Belgrade may at any moment become a most important political centre. It is the capital of one of the semi-independent vassal states; and it might at any time (I would say the same thing of Bucharest) become the centre of a movement, to which I think it would be almost impossible for us to remain indifferent.

1345. And do those views apply equally to Bucharest?—Equally to Bucharest. Those appointments I look upon as very nearly of the nature of missions to two independent countries; although they are not independent countries, but vassal states; the importance of our agencies in them is nearly equal to that of some of our missions.

1346. Do those observations which you have just made to the Committee apply equally to Jassy?—Only in a very inferior degree; and I may mention that I have stated already to the Foreign Office, that I see no reason why

Jassy might not be reduced to a vice consulate since the union of the two Principalities. It is one of the places where I suggest a reduction.

1347. With regard to Rustchuk, I see that our consular establishment there costs us 850 *l.* a year, there is no trade, and there are only 26 subjects; what is the object of maintaining that?—I believe that if our consul cost us double the money, it would be well expended.

1348. Is Bosnia also a political station?—It is also a political station; not of the same importance as Rustchuk, but it is also important.

1349. Then at Monastir, I see there is only one British subject; is that place too, political?—All those are political.

1350. These are all near one another, are they not?—Yes; there was some arrangement which I suggested with regard to those, which would enable us to get rid of one of the consulates there.

1351. With regard to Smyrna, I see that the cost of our establishment is 2,360 *l.* a year; can you suggest any economy in that department?—No, I am not aware of any economy that could be effected there. I have not been to Smyrna myself. I shall try, if possible, to go there in the course of next summer; but I cannot say whether any reduction could be made there.

1352. I may understand that your attention has been directed to this expenditure already, and that you will continue to direct your attention to it?—My attention is generally directed to the efficiency and to the economy that can be introduced into the service; but I do not find that the two things are always very compatible.

1353. Viscount *Sandon.*] With regard to our consular jurisdiction, I think that we have a consular judge at Constantinople?—Yes.

1354. And of entirely independent position?—Yes; he would receive orders from the embassy, but he acts entirely independently.

1355. He has still, as when the court was first constituted, the nominal rank of vice consul, has he not?—He has the nominal rank of consul general and judge of the Supreme Consular Courts. Then there is what is called the commercial vice consul or first vice consul, and a legal vice consul in addition to the judge.

1356. Have we any similar officers in other towns?—At Smyrna there is a judicial establishment, and at Alexandria.

1357. What is their jurisdiction?—Their jurisdiction extends to the power of condemning a man to death.

1358. It is principally civil, is it not?—Civil and criminal both; criminal as regards our own people.

1359. But the criminal jurisdiction is rather a doubtful matter as far as law goes, is it not?—There is no criminal jurisdiction in our consular judges in a case where a British subject is accused of an offence against a Turk; but if an Englishman were to stab or rob another Englishman, there would be no question made as to the power of the consular judge to deal with the case.

1360. This kind of court has been established for about 12 years?—In its present form it has.

1361. Might I ask you how you think it works?—I think it has worked satisfactorily; we bear a higher character for justice than many other countries in the East, from the way in which our court is conducted.

1362. Have the other great powers similar courts?—Some of them have not, and some are very badly conducted.

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1363. Have you heard much dissatisfaction expressed by the Porte with the condition of our consular jurisdiction?—No, I cannot say that I have ever heard any complaints.

1364. You are aware that Ali Pasha brought the subject before the Conference of Paris, after the Crimean War, as a great grievance?—I think that it was the general question of the bearing of the treaties or capitulations that he brought forward, and I think it is very natural that any Turkish minister should complain of it. It acts as a great drag upon the progress of the country. I do not think that there can be two opinions about that; but at the same time I am bound to say that I consider it impossible for us to abandon the safeguards which we have under those capitulations.

1365. You think, then, that the Turkish administration of justice is not such as you would like British subjects to be brought under?—In many places I think it is not.

1366. At the seat of government, at Constantinople, what is it?—The jurisdiction even at Constantinople is certainly not what we should think satisfactory.

1367. Take, for instance, some of the provincial towns like Erzeroum and Bagdad?—There would no doubt be abuses if we had not special safeguards.

1368. You said, I think, before, that you were aware of the proceedings of the International Commission with regard to Egypt?—Yes.

1369. We have not at this moment its recommendations in our hands, but may I, without impropriety, ask whether you approve of them?—They have been recently negociated; they are now under the consideration of the Government, and I do not know that they have even been sanctioned by those Governments that took part in them.

1370. You would prefer not to give an opinion on that point?—I am not sufficiently acquainted with the matter. The establishment of new courts is a complicated question, and I would rather not give an opinion upon it.

1371. Is that a subject upon which you imagine that the Porte feels much anxiety?—The Porte feels extremely anxious to get rid of this incubus, as they consider it, of the capitulations; but how far they approve of the suggestion that has been made in Egypt, I am not able to say.

1372. The pressure which led to the appointment of that Commission came entirely from the Pasha of Egypt?—Yes; in Egypt the practice had been very different from what it had been in other parts of the Turkish empire. In Egypt the jurisdiction of the foreign agents had been extended greatly beyond the limits laid down by the capitulations, and pressed heavily on the natives.

1373. From your knowledge of Egypt, would you say that the Egyptian courts were more to be trusted than those of the Ottoman Empire generally?—No; quite the reverse.

1374. There are many very complicated transactions between foreigners and the Pasha himself in Egypt, I think?—There are a great number of transactions of that kind; but I do not think that in any other part of the Empire there has been the same amount of abuse that there has in Egypt.

1375. Many of the questions to be decided by a mixed

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a mixed court in Egypt would be those between the Pasha and Europeans?—Yes.

1376. Owing to the fact that the Pasha is largely mixed up in industrial enterprises and owns about a third of the land of Egypt as his personal property?—There is no doubt that he is a very large trader in every way.

1377. Therefore I may gather that you would be of the same opinion with regard to the change in Egypt of our consular jurisdiction that you have expressed with regard to the Turkish Empire generally?—I have not expressed an opinion with regard to a change in the consular jurisdiction in Turkey. I have said that they certainly feel it a heavy weight upon them; but the matter has not been dealt with; there has been no attempt yet to organise a new system in Turkey.

1378. I think I understood you to say that you would not be prepared to recommend the giving up of the capitulations?—It is impossible to give them up. I should not be sorry to see them modified, and for my own part I should be very glad if it were possible to codify them, as I would call it. At present we have to ascertain our rights by deciphering very bad and often incorrect translations of capitulations with five or six or eight different countries, each having the most favoured nation clause, and deduce from all these what our rights are. I should wish, if it were possible, to lay down these rights and define them in one short general treaty.

1379. Do you imagine that the other Great Powers are prepared to take the same view as you take?—It would be very difficult to get the unanimity necessary, because at present each country profits by any arrangements made by any of the other countries.

1380. Do you think that there would be any risk of discouraging our commercial relations with the Turkish empire if we made very great changes as to our consular courts?—I believe that, on the contrary, it would act as an encouragement to the introduction of British capital if there were less inconvenience felt by the Turks from the capitulations. They do not now like to see a powerful company of foreigners introduced into the country, with the knowledge that they will be practically removed from their own jurisdiction.

1381. Do you believe that there has been a gradual deterioration in the character of our commercial men who have settled in the East?—If you speak of our traders in general, I am afraid that they do not bear the exceptionally high character that they once did; but at the same time I must say that in the East they are very much being driven out by much sharper practitioners than themselves, and that a great portion of the trade of Constantinople, which was formerly in British hands, has now almost entirely gone into the hands of the Greeks.

1382. Mr. *Otway.*] Criminal law is administered by each consul according to the law of the country to which he belongs?—Yes.

1383. Therefore we have the edifying spectacle of an Austrian, an Italian, a French, a British, an American, and a German subject treated to perfectly different punishments, and different degrees of punishment, for the same offence?—Yes.

1384. Does not that show the necessity of establishing a code of laws applicable to all foreigners, before we can expect the Turks to respect the European consular jurisdiction?—Yes; I think it would be very desirable indeed to do that. But there are worse things than that which take place at present. A foreigner who is sentenced for some criminal offence by the Turkish tribunal is handed over to his consul for the execution of the penalty. When persons are handed over to us, we carry out the sentences; but there are other nations which are not so scrupulous; and the Turks complain very much that the sentences which are regularly passed are continually not executed.

1385. Mr. *Kinnaird.*] You alluded just now to the question of quarantine. Have your diplomatic efforts to diminish the inconveniences of quarantine been crowned with success?—Some of the inconveniences have been removed; there is more to be done, but I do not know how far we shall be successful in getting it.

1386. Mr. *Baring.*] You stated that you were disposed to prefer the mode of appointment by the French of their consuls to that of the English. From your experience, would you say that our system of consuls is as efficient, or more efficient, or less efficient than that of other countries, speaking generally?—The answer to which you refer was directed entirely to the consuls in the East; I was not alluding at all to the general question; I have very little knowledge of the way of appointment in other parts of the world; but the question in the East was whether we were to try to get men with some knowledge of the country, or whether we were to be satisfied with getting those whom we believed to be more thoroughly Englishmen, acting on the same principle as the French do; I said there were advantages in that latter system, but it was not clear which was the best.

1387. Do you think that the commercial interests of this country have suffered from the inferiority of our consuls in the East?—I did not admit that there was inferiority in our consuls in the East. We have some extremely able men; and we have naturally some people who are not such as we should like to have; but, generally speaking, they are efficient men, and some of the very best are what is generally called Levantines.

1388. You are not in a position to say whether generally our consuls are as efficient as others?—No, I am not; in many cases I have seen other consuls very inferior to ours; and in other cases they have better men than we have; but I cannot make a comparison between the two.

1389. Mr. *William Lowther.*] Has your opinion been asked with regard to the small missions?—With regard to small missions, my opinion was not asked; I certainly think that it would not be good economy to go very far in reducing small missions, for you never know from what quarters troubles may arise that may produce the greatest complications; and the efforts of every English representative, in whatever part of the world he is, whether in a large embassy or at a small mission, are directed to the one object of preventing anything that may disturb the public peace; that is what we all have in view. As far as the public is concerned, the diplomatic service is only known by two things, by their great successes, or by their failures; by their success in carrying through a great and well-known negotiation, or by their failure in preventing a war; and with regard to that, I do not think that it is much more fair to say that we are of no use because we do not always

lways prevent a war, than it is to say that octors are of no use because they do not lways prevent people from dying. In the nall missions there are constantly questions rising, in which, by the personal influence of a British representative, a misunderstanding is leared up, or a claim is satisfied, which if not aken in time would very likely lead to a serious mplication hereafter; and there is no country n which that may not happen. The smallest ingdom in Europe is Greece; but a rup-ure between Greece and Turkey, even if it did ot involve us in a war, would produce a dis-rbance which would certainly cost us a great eal more than any saving you might effect in educing your legation there. What is done by ur representatives in the way I have alluded to annot be generally known, but it ought, I think, o be seriously taken into consideration before too nany missions are suppressed.

1390. Mr. *William Cartwright.*] I believe you ave changed your opinion with regard to the ppointment of permanent clerks from that which ou expressed in the evidence you gave before he Committee of 1861?—Yes, before the Com-nittee of 1861 I said that I rather objected to he system of permanent clerks because I thought it would prevent the attachés from learning their business as thoroughly as they ought to do. I still think that it may have that effect, but I think that the evil now of the slow promotion that there is, and of the wretched prospect that they have before them, has become so great that I would rather run that risk than go on seeing young men work away without a chance of getting forward. It is only for the sake of reducing the staff, not because I like the system, that I would adopt it.

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1391. I suppose the clerks would be like the chanceliers?—Yes.

1392. And that is a system which is general in the French service?—Yes, very general, and it is one, I believe, which diminishes the apparent cost of their diplomatic service. The chanceliers take fees, at least I understand so, and those fees make a general fund which goes to the maintenance of the chanceliers throughout the service. In one place a chancelier will get a much larger amount than is required for his pay, then the surplus goes to make up the chancelier's salary in a place where the fees are small.

1393. As a rule those chanceliers are permanent?—Yes.

1394. They reside habitually, and become rooted on the spot?—Yes.

The Right Honourable Edmund Hammond, recalled; and further Examined.

1395. Mr. *Rylands.*] Is not the scale of full utfit understood to be about one-third of the alary?—Yes.

1396. The Return which you have presented hows that in some cases it is much over a third, nd in others it is less; what reason do you give or this discrepancy?—I am unable to give any eason; it is a thing which has been of long tanding.

1397. I allude more particularly to the case of Paris; in the case of Paris, where the outfit is ,000 *l.*, and therefore is considerably over a third f the salary, is not the ambassador provided vith furniture at the embassy house?—A por-ion certainly is provided, but I do not believe he whole is; I know that Lord Cowley had a considerable quantity of private furniture as well as public furniture in his house.

1398. There is a considerable quantity of ublic furniture in it?—There is a considerable uantity; I cannot tell you what proportion.

1399. Is not this a reason for paying the Am-assador to the French a less sum for outfit, ather than more?—No; I presume that the xpense of outfit is not merely in furniture; here are various things, such as equipage, ser-ants, liveries, and things of that sort, which, in a lace like Paris, are a very great drain upon an mbassador's purse. But of course I am perfectly nable to tell you how much an ambassador does pend as outfit; I can only say that I consider hat at Paris there must be a very large charge or outfit; even stocking the cellar must be a considerable expense.

1400. Still the fact is that, in some missions, here is no furniture provided, in which case the inister would have to pay the full expense of he furniture, and in Paris that is not the case?—All missions are not equally expensive with hat of Paris.

1401. Do you consider that the outfit allow-nces go towards paying the travelling expenses of a minister in going to his post?—He has no other allowance.

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1402. The outfit allowance goes to that?—It assists him in it.

1403. Is not the fact that Paris is so much nearer to England than China, Persia, and South America, a reason why the allowance to the ambassador appointed to Paris should be less in proportion to the outfits to those distant missions rather than more?—Not if I am right in saying that the expense of an ambassador fitting himself out for Paris would greatly exceed that incurred for other places.

1404. But I am asking you about the proportion; the ambassador at Paris has a much larger salary, and has an outfit allowance of more than a third of it, whereas his travelling expenses are very much less?—After all, what is the difference between a third of the outfit and what he gets? A third of the outfit would be 3,333 *l.*, and he gets 4,000 *l.* Surely the difference, 600 *l.*, is very small to enable him to meet the very great expense which he has in fitting himself out; the journey is but a small item of the expense.

1405. Where to?—To any place, comparatively speaking.

1406. Take China, Persia, and South America?—I imagine that those are exceptional cases. Then, you must remember, too, that with regard to the journey to China, a man would be receiving all that time his full salary.

1407. Still he is put to a considerable amount of expenditure beyond that of the ambassador at Paris, in consequence of the length of the journey?—I doubt very much whether the expense of his journey is not less than the full salary which he is receiving during the time; I should think upon the whole that the full salary which he receives more than pays the expense of his journey.

1408. But it is quite clear that if a minister going to a distant post could get there without

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paying any charge for passage-money, he would be better off than if he did pay for it?—Of course he would be so, if we put him on full salary whilst he was on his journey; but if he was not put off on full salary, but only on half salary, whilst he was on his journey, I apprehend that he would in most instances be worse off.

1409. But he would in any case have full salary from the date of his appointment?—If you altered the system in one respect, I do not say that you would not alter it in another.

1410. I am speaking of the existing system. Is it not a fact that a minister appointed to a post, commences receiving his salary from the time of his appointment?—Yes, but your suggestion goes, as I understand it, to this, that it would be an advantage to give the minister, in addition to his full salary, travelling expenses; of course it would be an advantage to him.

1411. I am asking simply this with regard to the case of Paris, where you give an extra amount of outfit, whether you do not think that the fact of Paris being so much nearer England than these distant posts, is a reason why the amount of outfit money should be less in proportion?—I do not think that there would be any reason for giving a less outfit on that ground.

1412. Would you not think it fairer to arrange the outfits in such a manner that a sum should be allowed for travelling expenses dependent on the actual cost of the journey, so that if you paid more to distant posts you would pay less to near ones?—I am not prepared to revise a system of outfit and travelling expenses which has been inaugurated and found to work well for the last 40 years.

1413. At which of the embassies is plate provided by the nation?—There is plate provided at St. Petersburg, at Vienna, at Paris, at Constantinople, at Berlin, at Lisbon, and Madrid.

1414. Can you furnish a proximate estimate of the value of the plate belonging to the nation?—Perhaps I had better read a memorandum which I have had made on the subject:—"It was formerly the custom on the appointment of an ambassador or minister to make him a grant of money to enable him to provide himself with a service of plate; but in order to avoid the frequent recurrence of the expense thus incurred, it was determined in 1815 by Lord Castlereagh that no such grant should be in future made; but that at each of the courts of Paris, St. Petersburg, Vienna, Madrid, Constantinople, Netherlands, Berlin, and Lisbon, a suitable service of plate should be provided at the public expense for the use of the resident ambassador or minister, to be taken care of at his cost or charge, and to be delivered up to his successor, on the removal of a minister, according to the inventory deposited in duplicate in the office of his Majesty's Secretary of State for Foreign Affairs in London. In pursuance of this decision, services of plate, the cost of which was shown in a Return laid before the House of Commons in June 1833, were furnished to the ambassadors and ministers at the courts above mentioned. The plate supplied for the use of the embassy at the Hague was brought back to this country on the substitution of a mission for an embassy, and it has since been made use of to complete the service of plate for the Constantinople embassy, the greater portion of the service originally consigned to that embassy having been destroyed by the fire at Constantinople in 1831." "Extract from a Return to the House of Commons, printed 28th June 1833. Return of services of plate provided at the public expense in the department of the Lord Chamberlain of his Majesty's household, which are transferred with the office on new appointments; showing the expense of each service at each place—

	£.	s.	d.
For His Majesty's Embassy at the Court of the Netherlands - -	6,749	3	1
at St. Petersburg -	6,774	18	6
at Vienna - -	6,776	19	2
at Madrid - -	4,743	11	-
at Paris - - -	8,500	15	11
at Lisbon - -	5,693	6	8

Services of plate provided at the public expense, not included in the above return from the Lord Chamberlain's Department, which are transferred with the office on new appointments, showing the expense of each service at each place. For His Majesty's Embassy at Constantinople, 4,340 *l.* 10 *s.* - *d.*, and for His Majesty's Embassy at Berlin, 4,366 *l.* 1 *s.* 6 *d.*" Those services were supplied between the years 1820 and 1825, the youngest being 45 years old.

1415. *Chairman.*] Are those services still going?—They are going.

1416. Mr. *Richard Shaw.*] In both senses of the word?—Yes; we were obliged last year to repair the Paris plate which had got into a very dilapidated state; and I am afraid that the plate at most of the embassies would be much better for repair. But we repair it on the most economical plan by melting up the heavy pieces of plate which were in fashion in those days when the plate was provided, and making out of it more useful articles, better adapted to the use of these times.

1417. Mr. *Rylands.*] Would it not be fair to make a deduction from the outfit allowances in cases where ambassadors and ministers are not obliged to buy plate?—Certainly not. The outfit allowances are only sufficient, indeed they are not sufficient to enable them to meet their expenses. I should be very glad, indeed, if the Committee would recommend the granting a certain portion of plate to every mission, as was done before 1815; I know the practice well. At this moment I have in my possession plate which my father obtained in 1792, when he first went to America.

1418. When a minister is appointed to a mission at a higher salary than that attaching to his previous appointment, how soon does his increased salary commence?—In the case of a new appointment of an ambassador or minister, who at the time of his nomination was not already in the service, and in receipt of a diplomatic salary, his salary would commence ten days before his departure for his post. If, however, the ambassador or minister, at the time of his appointment, were already in the service, and in the receipt of a diplomatic salary, he would draw the salary of his new post from the date of his appointment to it.

1419. Is he allowed his outfit whether he goes to the mission or not?—Certainly not; that is to say, if the outfit has been issued to him, and he should not go to the mission, he would refund his outfit.

1420. May I call your attention to a particular case, the case of Mr. Lowther, who is now present; Mr. Lowther was secretary of the embassy

assy at Berlin, and he was promoted to be inister plenipotentiary to the Argentine Republic, 26th September 1867; I think you are ell aware of that?—Yes.

1421. As we have the pleasure of the company f the honourable gentleman here, I need not sk you whether he went to that post?—He did ot go there.

1422. I wish to ask you whether he received he outfit money?—The outfit was received by im and returned, I believe.

1423. Because I find in the estimates of the ear 1868, that under the payments for outfits ade between the 1st of January and the 31st of December 1867, "Mr. William Lowther, minister t Buenos Ayres," is put down as having received ,100 *l.*?—I have no doubt that the outfit was ssued to him, but that return would not show whether the outfit was repaid, and I believe it as. A return of money issued must contain whatever money is issued; it will not contain the fact of the money being repaid.

1424. Then I understand that in your belief the amount, 1,100 *l.*, put down as having been paid to Mr. Lowther, was returned on his resignation of his appointment?—I have every reason to suppose so.

1425. May I ask you a question with regard to the appointment to that mission of Mr. Forbes some years previously. Mr. Forbes, I think, was appointed to the mission at Buenos Ayres from Dresden?—He was appointed to the mission at Rio de Janeiro.

1426. I wish to ask whether you have reason to suppose that Mr. Forbes received his outfit?—I am perfectly unable to state that myself; it is stated to me by Mr. Alston that the money was returned, to the best of his belief.

1427. May I understand distinctly from your answer that the payment of 1,100 *l.* to Mr. Lowther for outfit was returned?—Yes.

Thursday, 31*st March* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, again called in; and further Examined.

Rt. Hon. *E. Hammond.*

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1428. *Chairman.*] HAVE you any further Papers to put in?—Yes; I wish to put in a continuation of those circulars which were laid in 1861 up to the present time, and I believe that they are complete. If when I get the proof I see that there are any deficient, I will supply them. That brings them up to March of this year. (*The same was handed in.*)

1429. There is a portion of the Consular Instructions referred to in the General Instructions; can you put that in?—Yes. The Consular Instructions were recast about two years ago. This which is marked as Section 8 is the article of the old Consular Instructions about public and private correspondence, but it has been superseded by a more general instruction under paragraph 12 of the new instructions. (*The same were handed in.*) I think it may be convenient to the Committee to have "An Account of the Salaries and House Rent paid out of the Consolidated Fund in the Year ended 31st March 1869, for the Diplomatic Service, and the future Annual Charge for the same," as printed in the last Finance Accounts; and I have added to it a note of my own, explaining that the diplomatic expenditure in China, Japan, and Persia was not charged in the year 1868-9 to the Consolidated Fund, but that that for China and Japan was provided for by an annual vote of Parliament, and that for Persia by money contributed for that purpose by the Indian Government; and I add that the salaries of the third secretaries were also voted annually at that time. (*The same was handed in.*) Since the Exchequer Audit Bill has come in all the accounts of our expenditure have been recast, and it is very difficult to institute a comparison now.

1430. The subdivisions of the expenditure are different?—Quite different.

1431. So that without re-casting the account it is almost impossible to draw a comparison?—Yes; but at the same time the new account is perfect as far as I can see, and hereafter there will not be the least difficulty in coming to a clear understanding about any year. This new Bill has forced us to recast the whole form of our accounts, and has thrown us into a great deal of confusion, but we have got it now settled, I hope. Then there are one or two papers, not bearing on the present portion of your inquiry, but which I think it would be convenient for the Committee to have before them now, inasmuch as they are voluminous, in order that they may consider them in the interval before they come to the consular branch of their inquiry. I will, therefore, put in a statement of the French consular salaries, and also a copy of the Act of Congress by which the diplomatic and consular systems of the United States are regulated. (*The same were handed in.*)

1432. Is that the ruling Act now?—Yes. I will also put in, taken from the United States documents, returns of the United States diplomatic and consular services, and of the fees levied in the latter. (*The same were handed in.*)

1433. What are those returns derived from?—They are derived from a little book published officially in the United States, and from a Return made to Congress.

1434. Sir *Charles Wentworth Dilke.*] Do you happen to know at what rate the dollar has been calculated?—At 4*s.* 2*d.* All the salaries in the United States, when once persons go abroad, are paid in gold. Then I wish to put in, as bearing upon the last, a list of the fees levied in the English consular service, in order to draw a comparison between the United States fees, which number about 109, and ours, which number about 39.

1435. *Chairman.*] How long has that scale been in operation?—This table of fees was confirmed by Order in Council of the 27th July 1863. Then I wish to hand in the Consular Estimates for the present year, exclusive of China, Japan, and Siam; also, the Consular Estimates for China, Japan, and Siam for the present year. These are draft Estimates, which will be laid before Parliament. (*The same were handed in.*) The Members of the Committee will have had laid before them a Paper called "China, No. 3 (1870)," containing reports of the consular establishments in China. I wish

wish to put that in formally before the Committee, because it is a collection which their attention will be very much called to during the examination of the China votes. Then I have another Return to put in formally, called "China, No. 5 (1870)," containing correspondence respecting diplomatic and consular expenditure in China, Japan, and Siam, which will be laid on the Table of the House to-night.

1436. Have you anything further to put in?—Something may come out in the course of the examination which may render it necessary for me to put in other papers, but at present I have nothing more to put in.

1437. Mr. *Rylands.*] There is one point that I omitted on the last occasion in reference to Queen's messengers; it was my intention to ask you in reference to the present number of Queen's messengers; can you state what it is?—There are now 15; we have just reduced two.

1438. Then the reduction has been made since the Foreign Office List was printed, which shows 17?—The Treasury have assented to the reduction within the last three or four days.

1439. You have now come down, I think, to the number suggested some years ago by Lord Malmesbury?—Yes.

1440. Is it not the fact that since the time at which Lord Malmesbury suggested this reduction to 15, there has been a still further reduction in the number of journeys taken by Queen's messengers?—There has been a reduction, certainly; I cannot say that by reducing the number of journeys we have not deprived ourselves of the means of getting such information as we formerly had. But I may add that it is the intention of Lord Clarendon, as soon as we can do it, to reduce the number to 12; we cannot get the younger men to take their retirement yet, but I think that at no distant time some will retire and their places will not be filled up till we have reduced the number to 12.

1441. Can you mention to the Committee the number of missions to which formerly Queen's messengers were dispatched, but as to which there is now a change, so that Queen's messengers are not dispatched to them?—It is rather in the distribution of the journeys, in the number of the journeys, that the change has been made. The only one that is absolutely abolished, I think, speaking on the spur of the moment, is the direct messenger who, during the time of the late German war, was established through France by the short way to Vienna, not going through Berlin. That man does not go any longer. Instead of having, as that messenger enabled us to have, a weekly journey to Vienna, we have now only a fortnightly journey to Vienna, and it is effected in this way: We send a messenger every week to Berlin, and the alternate week the messenger goes on to St. Petersburgh or goes on to Vienna also. Therefore there is one messenger every week to Berlin, and every second week there is one to Vienna and to St. Petersburgh. Then too we were in the habit of having a messenger twice a month to Constantinople, Athens, and Persia, carrying all that correspondence. That has been reduced to only once a month. With respect to Italy we have at present reduced that to a monthly journey, but I cannot say that that has been a reduction which has worked well. I think that specially as so many things are now going on in Italy, we should be glad to have at least more frequent communications with Italy by messenger than now. But it has been the object of Lord Clarendon, in deference to the strongly expressed opinion of the House of Commons, to reduce the messenger service as much as he possibly can. I believe that I could satisfy your inquiry in that respect by a Paper which I have not now with me; but I think that in the last quarter's account there was between 1,300 *l.* and 1,500 *l.* diminution in consequence of the reduction of messengers' journeys.

1442. Is there a messenger sent at stated intervals to Madrid?—No.

1443. In reference to the other missions in Europe, those that you have not mentioned, is it the case that Queen's messengers are not regularly sent to any of them?—No, except to Paris. The only station messengers are to Paris, Florence, Constantinople, Berlin, Vienna, and St. Petersburgh.

1444. I think I understand you to say that to St. Petersburgh and Vienna messengers were sent every alternate week, to Florence every month, and to Constantinople every month?—Yes.

1445. Can you give me any reason why, when messengers are sent at these intervals to the large capitals to which allusion has been made, there should be a weekly messenger to Berlin?—Because the messenger must go through Berlin on his way to St. Petersburgh and Vienna by the present system. If he went from London to Vienna straight you would deprive yourself of the benefit of sending him to Berlin, and would gain nothing. To go to St. Petersburgh, too, you must go to Berlin; and to go to Vienna I think it is only about 12 or 14 hours longer going through Berlin. But then besides there is a combination of the messengers at Berlin. For instance, last night the messenger went to St. Petersburgh. The Vienna messenger coming home will come through Berlin, bring anything from Berlin, and arrive in London next Monday. The same will be the case with the St. Petersburgh messenger. Berlin is the central point through which the messengers must all go for economy's sake.

1446. I think I understood you to say, as regards the alternate messenger who goes through Berlin to Vienna, that it was at the expense of a considerable time, several hours?—I forget how many hours, but it is the most economical arrangement that we can make.

1447. Is it not the fact that a proposition was made some short time ago by the Foreign Office to reduce the journeys of Queen's messengers to Berlin to fortnightly journeys?—I do not know the fact; but even if it was so, as I was explaining to you just now, necessarily the messenger, if he goes every fortnight alternately to Vienna and St. Petersburgh, goes most conveniently through Berlin.

1448. But still the Foreign Office, I am informed, did wish to reduce the journeys of the messenger to Berlin to fortnightly journeys, in place of weekly journeys?—I cannot say that; but whatever might have been on the canvass it could not have been maintained, simply for the reason which I state to you, that the messengers to Vienna and St. Petersburgh necessarily go through Berlin. Otherwise, instead of having a messenger going to Vienna, at the expense of merely the journey between Berlin and Vienna, you would have him going to Vienna at the expense of the entire journey from London to Vienna,

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Vienna, which would make a considerable difference in the expenditure.

1449. But was there not a proposition made to the Prussian Government, or to the Prussian Court, to reduce the journeys?—I am not aware of any such proposition, and I certainly do not see why we should make any to the Prussian Government, because what has the Prussian Government to say to our messengers? They have nothing to say to our messengers; we do not ask the leave of a foreign Government, or consult with a foreign Government, as to the number of journeys that our messengers shall take.

1450. Is it not the fact that the Queen's messenger takes a number of letters and parcels in his bag for the Royal family at Potsdam?—He takes whatever the Queen requires to be sent.

1451. *Chairman.*] The officer is the Queen's messenger?—He is styled a Queen's messenger. The messenger does not go for the purposes of the Queen, but the Queen and the Royal family avail themselves of our messengers to send things by them. They are not sent expressly for them, but for the public diplomatic service of the country.

1452. Mr. *Rylands.*] But the fact is that all parcels and letters for the Prussian Royal family are sent in that way?—I beg your pardon. Those intended for the Princess Royal of England, who is the Queen's daughter, are sent in that way.

1453. Then you think that on public grounds that it is necessary for messengers to call with despatches at Berlin every week?—Certainly; and I think that even if the messenger did not go beyond Berlin it would be desirable that he should go there. Certainly, if you ask my opinion (which I presume you are asking me), I think that the public service suffers very much indeed from the infrequency of messengers to some of the great courts in Europe.

1454. I suppose you are quite aware that we keep up a much larger staff of Queen's messengers than any other government in Europe?—We may keep up a larger staff of Queen's messengers, and for this reason, that we live, you may say, at the extremity of Europe. The French Foreign Office, in providing a messenger service between Paris and Berlin, or Vienna, may have their messenger at the frontier at Strasbourg, for instance, for Vienna, or at Erquelines for Berlin; but we are obliged to have a messenger going all through France. In the same manner with the Russians. The Russians do not require to send a messenger for the safety of their despatches till they come upon their frontier. As long as the despatches are within your frontier they are safe, but if they go out of your frontier they are not safe.

1455. With regard to the luggage carried by foreign service messengers, are there any regulations with regard to the amount of luggage which they can take with them?—We restrict it as much as possible. It is regulated.

1456. There is a regulation of recent adoption?—If you refer to parcels sent for private members of the mission, there is a regulation of long standing limiting the amount that they may have sent by a messenger.

1457. Mr. *Otway.*] There is a regulation of very recent adoption on the subject?—Yes. I have put in a circular still more stringent about sending those things, but the regulation which I am alluding to was made some years ago with a view of restricting the weight that members of the mission should receive or send by any messenger to so many pounds.

1458. Mr. *Rylands.*] But is it not the fact that the Queen's foreign service messengers have been made use of to a very large extent for taking parcels?—Belonging to the members of the mission?

1459. That has been checked, I understand, recently?—A severer check has been put upon it recently. The check which I am speaking of has been a check of many years' standing; I forget how many, but seven or eight years' standing. May I ask whether you mean the personal luggage of the messenger?

1460. No, I mean making use of the Queen's service messengers to carry parcels for members of the missions and their friends?—No Queen's messenger can carry anything for himself at all: if he did, and were known to do so, he would subject himself to severe censure. And although we allow the members of our missions, with a limitation, to have a certain number of parcels when a Queen's messenger goes, they are specially prohibited from sending or receiving parcels for other people.

1461. It was the fact till a comparatively recent period, was it not, that the Queen's service messengers took parcels for the members of the missions, for the friends of the members of the missions, and for other persons connected with them?—I cannot tell you whether they have done that or not, but they did not do it with the sanction of the Foreign Office. To answer your question distinctly would involve the necessity of my having been present whenever a Queen's messenger was dispatched, and having examined his luggage.

1462. At all events the Foreign Office did consider that an abuse was taking place in the amount of luggage carried by the Queen's messengers?—We considered that an abuse was taking place in the amount of parcels received for their own use by members of the diplomatic body.

1463. That was checked a few years ago?—Yes, and has been recently still more checked. Their attention has been very pointedly called to it lately.

1464. May I ask you the salary paid to Queen's service messengers?—The salary is now 400 *l.* a year, and when they are on a journey there is a subsistence allowance of 1 *l.* a day in addition.

1465. Are you aware what salary is paid to the Queen's home service messengers?—The Queen's home service messengers on the old footing are paid 250 *l.* a year. The two or three last new appointments are at 200 *l.* a year.

1466. Can you give the Committee any reason why the foreign service messengers should be paid double the amount of the home service messengers?—They have harder work to perform, and they are persons who may be exposed to great difficulty and great danger, which a home service messenger would not necessarily be exposed to.

1467. But in reference to the foreign service messengers to Paris and Berlin and Vienna, I suppose there is no greater danger to them than to a messenger in our own country?—No; but I may say, in the first place, that our messengers consider (I am not responsible for their considering

ing it, but they do consider) that their railroad journeys night and day now are much more severe journeys for them, and more trying to their health and constitution, than those which they took when they used to go in carriages. Perhaps going in a carriage to Berlin they were out four or five nights, and now they are only out two; but I can only tell you what the messengers themselves say.

1468. I will not ask you whether you agree with the messengers?—I have not sufficient experience of night travelling to speak as to that, but I know that some people suffer very much indeed from railroad travelling. In addition to that, it must be remembered that this is happily a time of peace. If there were any difficulty in time of war, the messengers would have to ride or get on as best they could. If a railroad is broken up, they must get on as they can. I remember a very old messenger once telling me of the great nuisance he experienced in going through Poland long before railways were made; he found that there was a Jew at every station who wanted to make a bargain for carrying him on; in fact, he was sold and bought among the Jews at every station. You want for a foreign messenger a man well conversant with foreign languages, and well conversant with travelling on the continent; and, of course, if you have men of superior qualifications, you must pay them in a better way than a man of whom not so much is required.

1469. You do not think that we could get men of the right quality at a less salary than that which is now paid by the Foreign Office?—I think the salary is a fair salary, and I do not think that it ought to be diminished for the foreign service messengers; it has been extremely reduced of late years, by the system on which it was put. I remember, before Lord Malmesbury's time, when some of them were supposed to make 1,200*l.* a-year, that is when they travelled by post. Till the railroad got fairly into use, we used to allow the messengers to charge their mileage account on the same principle as when posting. That was entirely reversed in Lord Malmesbury's time, and they were put on a fixed salary; but I should say that even at the time when they were getting those large emoluments, the estimated value of the place on which they were superannuated was 400*l.* a year; now they do not make the same profit as they did when there were those high mileage rates, and their superannuation is now calculated as on salary and emoluments amounting to 525*l.* a year.

1470. I think I gather from you that the Foreign Office at present are contemplating a further reduction in the number of messengers?—Yes, we shall do it as soon as we can; in point of fact, we have sounded some of the messengers, to see whether they would retire, but they were not yet prepared to retire. Some of them, however, have been in the service a long time, and probably at no distant day they will retire.

1471. Mr. *Lowther.*] The messenger who goes from here to St. Petersburgh leaves on Wednesday night, gets to Berlin, and starts from there that same night?—He gets to Berlin on Friday morning, and starts that night for St. Petersburgh.

1472. Therefore he has very little rest between this and St. Petersburgh?—No night rest.

1473. Have you had complaints from messengers about 1*l.* a day being too little for their journeys?—I have not heard complaints recently; I have in former days; they have given us accounts of expenditure, showing that they spent 25*s.* or 30*s.* a day. Of course, from the nature of their service abroad, they would pay rather higher than other people; they do not spend 24 hours at one place, except it is a station.

1474. Perhaps you would not hear the complaints so much as the chief clerk?—The chief clerk would rather hear them. I remember complaints having been brought before the office officially, and brought to my knowledge officially; and I have no doubt that at the time I passed the complaints on to the Secretary of State with my own written opinion that 1*l.* a day ought not to be exceeded.

1475. I think correspondence from Warsaw, Dantzic, Leipsic, Stettin, and Königsberg all comes through Berlin?—Yes; any confidential correspondence from those places would come through Berlin.

1476. I think they have instructions to send their correspondence to the embassy at Berlin, in time to be taken on by the messenger?—Yes, I believe there is an instruction of that kind; they are not absolutely tied down to send it through Berlin, but as a general rule they do, in order that the ambassador at Berlin may see the correspondence on its way through; it passes under flying seal.

1477. This Government sends out, in the despatch bags, Blue Books and Reports presented to the Houses of Parliament?—Yes.

1478. And there is an exchange of Blue Books with the various Governments, is there not; they send reports to us?—Certain papers are exchanged. I will not say that Blue Books are exchanged, but certain reports are exchanged. And then we send out by those messengers a great deal of stationery for the use of the mission. As we preserve our papers for a long time, we require them to be written in a particular form, and on paper of a particular substance.

1479. When an outfit is not used, but paid back again, do the Foreign Office return it to the Treasury?—I believe the process is, that it is paid back through the Paymaster General.

1480. Do the Foreign Office get any receipt for it?—It has generally been transacted by the agent of the party who had to pay them.

1481. Can you put in a copy of such a receipt?—There is a copy of the receipt given for your outfit (*handing it in*), and there is a copy of the receipt given for Mr. Forbes's outfit (*handing it in*).

1482. *Chairman.*] Will you read the receipt in Mr. Lowther's case?—"Bank of England, 10th February 1868, I do hereby certify, that, by virtue of an Act of the 45 Geo. 3, c. 58, Mr. W. Lowther has this day paid into the Bank of England the sum of 1,100*l.* to the account of Her Majesty's Paymaster General, cash account. For the Governor and Company of the Bank of England.—*R. Humphrey.*"

1483. Is it a similar receipt in Mr. Forbes's case?—Yes; "Bank of England, 16th February 1860. I do hereby certify that, by virtue of an Act of 45 Geo. 3, c. 58, the Honourable F. R. Forbes has this day paid into the Bank of England the sum of 800*l.*, to the account of Her Majesty's Paymaster General, cash account. For the Governor and Company of the Bank of England.—*J. T. Frith.*"

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1484. Mr. *Lowther.*] Could you give us any explanation of this item, about which we were not able to get any explanation the other day; No. 6, on page 2, of China Excesses?—I am afraid that I can give you no very detailed explanation, except that it was an accumulation of short estimates for many years past. The increase in the expenditure had not been notified to the Foreign Office whilst it was going on increasing, otherwise we should have been able to increase the Vote. There was nothing wrong in the expenditure; but just in the same manner as this year, when we had come into a knowledge of the accounts, and found that we had short estimates for the last year, we were obliged to take a Supplementary Estimate to meet the deficiency, so, if we had known of the previous deficiencies in time, we should have taken an increased Estimate immediately, to meet the necessary expenses. The expenses were necessary, and were properly incurred, only, from the peculiarity of the manner in which money was issued in China, and the way it was brought to account, we, in the Foreign Office, when preparing the Estimate, had not the means of knowing exactly how the account stood. Now, under the new system, when all moneys voted for China, and all other services, are administered by the Foreign Office, we have the accounts passed through the office, and examined in the office, and are able to provide for any deficiencies likely to occur, or for any deficiencies that have occurred, in the next Vote of Parliament; but the accounts were formerly always sent, not through the Foreign Office, but direct from the Audit Office in China to the Audit Office in London.

1485. *Chairman.*] Previously to the new arrangement, were the unexpended balances paid over?—Not lately; there have been no unexpended balances for the last four or five years.

1486. Then with regard to this excess of expenditure in respect of China, would it not appear that that had been met out of unexpended balances for other portions of the diplomatic service; or where did the money come from?—That I am not able to answer. We did not supply the funds; and I may explain that a very small portion of the China Service is paid in England; that, of course, was issued like all other moneys, by the Paymaster General, upon a requisition through the Treasury. A great portion of the China expenditure was paid out of the Treasury chest in China, that is to say, advanced by the Treasury chest in China. Then a settlement of the account, repaying the Treasury chest in China, was made, I believe, by the Treasury out of the money voted for the China Service, without passing through the Foreign Office. Now, no money for any services belonging to the Foreign Office can be issued by any department except by the Accountant to the Foreign Office.

1487. You do not know whether it arises under the Appropriation Audit?—It has been ascertained by the Appropriation Audit, because it has been necessary for the purposes of that Act to strike all balances, and then the state of things was ascertained.

1488. Mr. *Richard Shaw.*] I presume these arrears cannot again occur in this department?—Certainly not to that extent. In a fluctuating expenditure, as you will see it must be, if you look at the matter, I will not say that it may not be 1,000 *l.* or 2,000 *l.* more or less in one year than the Estimate, and I will not say that in the next year there may not be some deficiency; but after next year I do not believe there will be any. The accounts have been now with the most persevering industry gone through by the chief clerk and by one of the clerks at the Foreign Office, Mr. Abbott, and they have taken infinite pains with them; and if you will examine those Papers which I have just put in, you will see the wonderful trouble which has been taken with those China accounts to get them into order; and the effect of that has been that we have been able to reduce our expenditure in China by very nearly 10,000 *l.* We have gone through every item of the China expenditure, especially the miscellaneous expenditure, and as the result of the whole there will be, we hope, a clear reduction of the expenditure in China by 10,000 *l.*

1489. Mr. *Lowther.*] Then do you consider that this fault of the account running on from 1864 to 1868 is rather with the Treasury than with the Foreign Office?—I am not disposed to take the blame to ourselves, nor am I disposed to impute it to the Treasury. It is one of those accidental circumstances which may occur, which are very much to be deplored, but which persons conversant with the complications of the China accounts would not find it very hard to understand. It has been a puzzle to me for a very long time to make out those accounts, to make out how the expenditure was going on.

1490. I think we are about to put an end to our diplomatic relations with the Hanse Towns?—Yes.

1491. Is that a very important mercantile post?—There is a great deal of trade at Hamburgh.

1492. Would you propose to leave a consul general there?—No, there will be no consul general there. We shall leave a full consul on a liberal salary, in the same manner as when we abolished the direct diplomatic representative at Monte Video, we increased the salary of the vice consul there by 300 *l.* a year, and made him full consul in charge. I must add that I am not quite certain whether the arrangement is altogether decided as to Hamburgh.

1493. There was a vice consul formerly at Hamburgh, was there not?—There was no vice consul at Hamburgh, there was a consul general there and a consul.

1494. The title of the gentleman under Mr. Ward is consul?—Yes.

1495. By whom was he appointed?—Appointed by Lord Clarendon, I think, some years ago.

1496. Has he ever passed an examination?—That I can hardly tell you. He was appointed on 22nd March 1866. I am not able to tell you whether he has passed an examination or not.

1497. An examination is necessary for all consuls, is it not?—Not absolutely necessary, because it is not absolutely necessary for a person who holds his appointment directly from the Crown, which a consul does.

1498. On the subject of pensions, must a man be of a certain age before he is entitled to a pension in the diplomatic service?—I think there is a provision in the Act on the subject. He need not be 60 years of age, but he is liable to be called into service if he has not attained the age of 60 years.

1499. If a man at 40 receives a pension, and the Foreign Secretary offers him a post, he is bound

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bound to give up his pension if he does not accept that post?—He is liable to have to do so. He may be required to renounce his pension. Of course if he is required by the Secretary of State to proceed to any mission of the same rank, or a higher one than that which he had when he retired, and he is not willing to do so, he must forfeit his allowance.

1500. Under that you can get rid of all your pensions, cannot you?—It would be rather a hard and unhandsome thing to do.

1501. Still it is possible?—It is possible, supposing that there are vacancies; but you must suppose that there is a vacancy to which a man can be appointed of a higher or of the same rank. You could not now say to any minister, for example, who had retired, "You shall go to Vienna as ambassador," because the embassy at Vienna is not vacant; but if the embassy at Vienna were vacant, and the public service required, in the estimation of the Secretary of State, that a certain man should go there, and that man having a pension did not choose to go there, then if the Secretary of State chose to enforce it, the man would of course forfeit his pension.

1502. What is the lowest pension allowed by Parliament after 15 years' service?—It is hard to answer that question, because a provision is made in the Act for pensions to second secretaries, and there is a provision also that no person shall receive a pension exceeding the salary which he may be receiving at the time when his active employment ceases. Therefore, although the fourth class pension, which is the smallest sum named, is 700*l.* a year, a second secretary who retired after 15 years' service, and whose salary was only 400*l.* a year, would not be entitled to more than 400*l.* a year pension. That is my reading of the Act.

1503. But then he must always have served 15 years?—Fifteen years from the date of his first commission, and 10 years actual service. I do not know that any rule has been laid down on the point, but I apprehend that if a person had served 10 years under a commission, and had remained *en disponibilité* for five years afterwards, at the end of the 15 years, under the terms of the Act of Parliament, he might claim his pension, because he would have been 15 years in the service from the date of his first commission, and have served 10 years abroad. It does not say that he shall be pensioned from active service.

1504. Practically it would be always 19 years?—Yes, because there would be four years of attachéship.

1505. Will you explain to me why Mr. Christie gets a pension; he was made secretary of legation in 1851 and retired in 1859, and he received a pension in 1863?—Mr. Christie had service as agent and consul general before that.

1506. He comes under the consular pensions then, I suppose?—No. A question was raised some years ago, and has been raised more than once, as to what was the real intent and meaning of the word "minister" in the Act of 2 & 3 Will. 4, c. 116, and we referred it, I think, to the law officers on two different occasions, and they both times ruled that a person having to discharge political functions would come under that Act for pension. But to clear up all doubt upon the subject hereafter, this clause was inserted in the Act of Parliament of 32 & 33 Vict. c. 43: "A person shall not be qualified for receiving a pension of the third class unless he has been an envoy extraordinary and minister plenipotentiary on a mission of the second class, or a minister plenipotentiary, or a minister resident or a chargé d'affaires and consul general in some foreign state or states, or a chargé d'affaires in some foreign state or states where no other diplomatic representative is usually appointed to reside on behalf of Her Majesty, or an agent and consul general in some foreign state or states where his duties have been generally of a political character, and in one or more of those capacities has actually resided in some foreign state or states, either continuously or on different occasions during a time amounting in the aggregate to five years." The law officers had ruled that the Act of Will. 4 was to be construed in that way, and when this new Act was passed it was thought just as well to insert a provision in the Act according to their ruling.

1507. Mr. *William Cartwright.*] This is the Act of last Session?—Yes; the Act to provide for the payment of diplomatic salaries, allowances, and pensions.

1508. Mr. *Lowther.*] Then I see that Mr. Howard was appointed secretary of legation in 1846, and that he retired in 1858; he, too, gets a pension, though a very small one, namely, 300*l.*; how comes that?—He must have passed 15 years from the date of his commission; I see that it comes to what I have said. He was appointed on the 23rd of May 1846, and his pension was granted on the 10th of August 1861; that is to say, 15 years had passed from the date of his commission.

1509. But he retired in 1858?—He had served his 10 years abroad. That is exactly what I was saying a little while ago; it was 15 years from the date of his first commission before he got a pension.

1510. Mr. *Richard Shaw.*] The last five years being out of service?—Not so much as the last five; the last three.

1511. Mr. *Lowther.*] Why was he not getting his full pension?—I can hardly tell you; I was not in England when the pension was granted to Mr. Howard.

1512. Do you know by whom the pension was granted?—Lord Russell was the Secretary of State at the time when it was granted.

1513. Then we come to Mr. William Robert Ward, who was named secretary of legation on the 12th of February 1852, and was pensioned on the 11th of May 1867; he received his pension because he had served 15 years, I suppose?—At the time he retired on his pension he was, I believe, 60 years of age. But it is on the same principle that he was pensioned; he had actually served 15 years.

1514. But another man who had served actually the same time as Mr. Ward, is equally entitled to a pension, though he is not 60 years of age?—He is legally entitled if he does not refuse service; but you could never give a man a pension who refused service unless he had got to that age; a man, according to the acceptation suggested by an honourable Member, is supposed to have done with active service at 60 years of age.

1515. When a gentleman applies for a pension he applies to the Principal Secretary, who refers the matter, I suppose, to the chief clerk or to yourself to report upon it?—The chief clerk would

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would be called upon to report upon it; it would pass through my hands to the chief clerk.

1516. Do you consider yourself bound to make any inquiries into the private means of those who apply for pensions?—No.

1517. Because I see that the Diplomatic Committee of 1831 says, "In addition to these restrictions, the Committee are desirous of checking by some positive rules a practice which has prevailed to a considerable extent, of giving retired pensions to diplomatic servants having sufficient private fortunes?"—That was the recommendation of the Committee, but I do not think that any rule of that kind was ever laid down for the diplomatic service. In the Pension Act for political pensions, a rule of that kind, I think, was laid down, but no such rule exists, I believe, for the diplomatic service. At the same time, practically, looking through the list, I imagine that you would hardly put your finger upon any of these gentlemen whose private means were such as to enable them entirely to dispense with their pension.

1518. But if a man who you thought had private means applied to you, would you say to him that he ought not to ask for a pension because his prospects were so good?—I could only say to him what was said in the case of Lord Londonderry; Lord Londonderry applied for a pension, and I think Lord Liverpool minuted, "This is too bad," and the pension was not given.

1519. Then you think that the fact of a man having so-called good prospects, deprives him of his right to a pension?—I will not say if a man has good prospects, but if a man has good actual means he should not have a pension; it must be present means, not prospective means, unless he is in that state in which some people can afford to maintain their sons or their relatives, allowing them so large an amount of income during their life as to make them independent, which would put them in a position which would be covered by that doctrine, viz., that his means were too great to entitle him to a pension.

1520. With whom do Mr. Barnard at Coburg, Mr. Morier at Darmstadt, Mr. Burnley at Dresden, and Mr. Russell at Rome, correspond; do they write to anybody besides the principal secretary?—Only officially to the Principal Secretary of State; that is to say, they would correspond with the Foreign Office exactly on the same footing on which any ambassador or minister would correspond with the Foreign Office. On a question of mere common detail, they might write to the Under Secretary, but as a general rule all their numbered despatches would be addressed to the Secretary of State for Foreign Affairs. I really am only just guarding myself from giving you a positive negative answer, though, I believe, I might give you very safely a positive negative answer.

1521. Does not Mr. Russell send copies of his Despatches to Sir Augustus Paget?—He would not as of course send them to Sir Augustus Paget; he is perfectly independent at Rome; but he would send his Despatches under flying seal to Sir Augustus Paget, as he would send them under flying seal to Lord Lyons.

1522. With regard to the interchange of employment between the second and third secretaries and junior clerks in the Foreign Office, have you ever remarked that the junior clerks in the Foreign Office, if anxious to exchange, preferred what are called the agreeable posts in the diplomatic service?—No, I will not say that; I should say that a clerk wishing to exchange finds a person, without reference so much to the post he occupies, but who is willing to exchange with him. I have known clerks go to this or that post of importance, and sometimes to an unimportant post; but as a general rule we should discountenance an exchange between a clerk and the secretary at a mission of inferior importance. Of our two clerks now abroad, one is at Berlin, and the other is at Florence, though at present in Rome assisting Mr. Russell. As a general rule, I should say that, if the point had to be decided, I think that both my colleague and myself would prefer for them to go to some important place.

1523. Do you know of any instances of the money allowed for house rent being sufficient to pay for the houses in which the heads of the missions live?—That is a question which I am unable to answer; I think I have seen a complaint made to that effect. In former times, perhaps, a man might not only get his house, but get a little furniture in addition; but, as a general rule, the allowance for house rent will not cover the charge for bare walls.

1524. Therefore, generally, I think a minister has to pay something out of his own pocket for his house? — Yes; he has either to pay dearly for an unfurnished house, or still more dearly for a furnished house. A question was asked me the last time I was here, which I may answer in reference to the question which you have asked me now, namely, about the Paris house. I said then that the Paris house was insufficiently furnished, and required a great deal more furniture in it. I have inquired about that, and the answer which I have received is, that there is hardly any furniture in the Paris house beyond the strict necessaries, and that anything in the shape of ornamental furniture must be found by the ambassador.

1525. Are you aware that the furniture in some of the rooms in the embassy house in Paris is in rags?—I am not aware of that myself, not having been to Paris recently.

1526. Has it been repaired?—Any communication on that subject would have been addressed to the Office of Works, which has charge of the house.

1527. The embassy house at Paris is entirely under the Board of Works, is it?—Yes.

1528. With regard to pensions, there was an Act passed allowing Members of Parliament, who had served in the diplomatic service, to receive pensions, was there not?—Yes; that is to say, enabling a man to sit in Parliament holding his pension. It was a doubtful point, and the Act was passed to clear it up.

1529. You say, in answer to Question 73, "I should not consider that it was a duty obligatory upon the second secretary to collect materials for the first secretary"?—Yes.

1530. It often happens that the first secretary becomes chargé d'affaires, does it not?—Yes.

1531. Do you think that the second secretary then is not bound to assist his chief, when he becomes chief, in that way?—It is a question which one can hardly answer, because it presupposes indisposition to assist one's friends in the legations, where we hope that they are all friends together, and all assist each other. But if the question were put to us officially, whether it was the duty of the second secretary to assist the

the chargé d'affaires, not in the performance of his public duty, you may say, but in the performance of his personal duty, namely, making his report, I should myself say that it was not his duty. But I should hope that no question of that sort would ever arise, because it implies a want of good fellowship in the mission, which I do not believe exists in any mission, and which the Foreign Office would certainly very much deplore; and I think it is a sort of question which would, in all probability, never be raised before the Foreign Office, because it is a thing which is arranged among the men themselves.

1532. You say, in answer to Question 116, "It would be very hard, and especially hard now, to appropriate to that class of officers" (namely consuls) "however meritorious any of the few posts which are reserved for those gentlemen who have been trained up in diplomacy"?—Yes, but I think that the question should be read also, because my answer hangs upon the question.

1533. You are asked, "Supposing that a consul generally acquitted himself well in the office of consul general, would there be any objection to his having a diplomatic appointment?" and your answer is, "Of course there would be no objection to him or to anybody else, but as a general rule I should not say that they would be promoted. It would be very hard, and especially hard now, to appropriate to that class of officers, however meritorious, any of the few posts which are reserved for those gentlemen who have been trained up in diplomacy"?—That is my opinion still.

1534. If it is hard to take a man out of a brother profession, is it not very hard upon these gentlemen trained up in diplomacy to put over their heads people who have had nothing whatever to do with it?—It would be very hard upon the junior branches of diplomacy, but in regard to the heads of missions, I cannot say that it would be hard. Private interest must give way to the public service, and if the public service requires that any person unconnected altogether with diplomacy or with public business should go to any mission, it would be no hardship which a junior member of the service would have a right to complain of. I do not think that any member of the service would have a right to complain, supposing a vacancy to occur in Paris, if any distinguished politician in this country should be appointed ambassador at Paris. As regards the heads of missions, it rests entirely with the Secretary of State to select whoever is most competent to perform the duties imposed upon him.

1535. Third secretaries do not of necessity become second secretaries, and second secretaries do not of necessity become first secretaries of legation?—One cannot say "of necessity," but as a general rule they do in succession.

1536. But do you not know any instances of men being at legations which have been made embassies, and their seniors being at legations which were not made embassies, and where those secretaries of embassy have been promoted because they were secretaries of embassy?—For instance, Berlin was a mission with a secretary of legation. It was created an embassy, and as far as I remember the secretary of legation was made secretary of embassy. I cannot say that if he were a junior secretary he would, in such a case, be made secretary of embassy; but if a mission like Berlin should be raised to an embassy, in all probability the secretary of legation would be quite a senior man.

1537. But then those secretaries of embassy take rank over senior secretaries of legation?—They do of course. You are only speaking now of course of the secretaries of embassy.

1538. Do you know any instance of a man losing in salary by promotion to the post of secretary of embassy?—I am not able to carry it in my mind.

1539. If you will look in the Foreign Office List you will see that Mr. Lowther was secretary of legation in 1858 at St. Petersburgh; he was then in the receipt of 700*l.* pay, and 250*l.* extra. If you refer to the list you will see that Mr. Lowther went to Berlin in 1859; Berlin was then made an embassy, and he received as pay 900*l.*, losing 50*l.* by promotion; do you think that that is right?—The only thing that I can say to that is to refer you to Mr. Canning's rule. Mr. Canning's rule was, that because promotion was so slow between the office of secretary of legation and secretary of embassy, as a compensation for the privation of advancement, he allowed the secretary of legation 250*l.* a year, after a service of ten years, extra, but when the secretary of legation got the promotion as secretary of embassy there was no longer the same occasion, according to Mr. Canning's rule, for giving him that extra allowance. That, I presume, is a rule for which nobody now living is answerable, but it is a rule laid down by Mr. Canning, on the ground of the slowness of promotion.

1540. Do you think it would be wise to alter Mr. Canning's rule?—Mr. Canning was a great man, and a rule which he laid down was no doubt well considered, and, on the whole, I should not be disposed to alter it.

1541. You think it, on the whole, not unfair that a man should lose 50*l.* a year by promotion?—He gets additional rank; he pays 50*l.* a year for his additional rank, and he gets an equivalent; of course, in every profession there must be certain rules, and especially in a profession in which we are tied down about money. If you will allow the Foreign Office as much money as we choose to spend we will be as liberal paymasters as possible, but as we really are tied down, and every halfpenny we spend is canvassed, it is hard to find fault with us for not being as liberal as our inclination prompts us to be.

1542. In your answer to Question 147, you alluded to a Paper that you put in, giving an account of correspondence; will you state what correspondence that is?—It is the whole correspondence of the office, taken from our registers. Every paper that comes into the office, and goes out of the office, in the several divisions, is entered in the diary, and that Paper that I put in was the total of the diaries of the respective divisions for the year.

1543. When you speak of papers, does that term include letters?—Everything; not the enclosures of the letters, but everything in the way of letters and circulars.

1544. When you spoke in reference to Darmstadt, of "its territorial sovereignty over one of the most important fortresses on the Rhine, now occupied by a Prussian garrison," did you allude to Mayence?—Yes, Mayence was the one I alluded to; the papers said Dantzic, but it was Mayence.

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1545. Do you know of any instances of applications having been made to you by heads of missions for extra hands, and the Foreign Office not being able to supply them?—Several, I think; very many of the foreign missions, even when at the fullest, cry out for additional assistance, and we have no means of supplying them; and when the men are on leave from the mission, of course they are very hardly pressed, but we have no reserve to draw on.

1546. In answer to Question 253, "Do you look upon the consular service as essentially commercial only, and upon the diplomatic service as essentially political"? You say, "Generally so." Can you tell me what number of commercial Despatches you have received this year from Paris?—I can answer for 129; how many more there are I cannot say. Since I was asked that question by one of the Members, my attention being drawn to the matter, I afterwards noticed the number 129 on one of the commercial despatches.

1547. With regard to the houses of our ambassadors and ministers, have you ever made a calculation of what the house at Constantinople would have cost the country if it had not been bought but we had hired a house?—It was quite impossible to hire a house at Constantinople.

1548. It was quite necessary to build that house?—Indispensably necessary to build that house. As I said in my evidence the other day, I was at Constantinople in 1831, shortly after the fire, which destroyed the house at Pera. We lived then in two wretched wooden houses on the Bosphorus, bitterly cold, with the north-east wind coming down the Bosphorus. That went on for a great number of years whilst they were debating the questions how they should build, where they should build, and how much money they should spend. The thing at last got so intolerable, and the houses so ricketty, that the embassy was obliged to come into Pera. They got two or three wooden houses; I think we paid 1,500 *l.* a year for them. We patched them up to enable the embassy to find some quarters in town till the house was built. I can answer for the house on the Bosphorus, in the year 1831, being very pleasant in summer when the weather was moderately warm, and the wind did not blow very strong; but when the weather was warm and the wind blew strong, I was obliged to shut the window because otherwise I could hardly sit in the room. I remember a gentlemen whom many of you may have known, lying in bed with the rheumatism, with a brazier on each side of him, in order to keep himself tolerably warm.

1549. It is necessary that the embassy house at Constantinople should be surrounded by a large garden, is it not?—It is necessary, unquestionably, for protection from fire. When a fire gets well hold of Constantinople, they have no water and no engines to put it out with.

1550. What did the building of the embassy house and the garden cost the Government?—I can hardly tell you exactly what it cost. The buildings were all lumped together, and the returns are before the Committee, for the building of the house, and of the consular buildings, and the chapel, and I think also for the building of the hospital. Not having the accounts ourselves, the matter being entirely under the Office of Works, we were obliged to obtain from them that statement which Mr. Rylands moved for, and it is their return, although presented by ourselves.

1551. If sold, would it fetch the money paid for it, do you think?—It would depend in the first place upon whether there would be any purchaser for it; I doubt it very much. Every embassy has got its own house there, and nobody but an ambassador would require a house of that size.

1552. If the house and garden at Paris were sold, it would fetch a large sum, would it not?—Yes; but we should have to give in interest very much more than we should get in principal. I perfectly remember the time, a good many years ago, when the house at Paris was in a state of great dilapidation and required thorough repair, and then the embassy was transferred to the Faubourg St. Germain, and if I do not mistake, we were paying at the rate of 3,500 *l.* a year for that house; it was something enormous.

1553. Mr. *Otway.*] How many years ago was that?—Twenty years, or perhaps 30 years, ago; it was a large house just behind the Chamber of Deputies, in one of those streets there; a beautiful house it was, and I have always heard that, expensive as the house at Paris is, if we were obliged to lodge our embassy in any other quarter, we should, after selling the present house, have to pay in rent very much more in proportion than we should obtain in principal. I know a house in London, certainly very inadequate for ambassadorial purposes as regards proper reception rooms, the rent of which, without garden or anything, unfurnished, was 2,500 *l.* a year.

1554. Mr. *Lowther.*] The French embassy has a house at Pera and at Therapia, and so have the Austrian and Russian embassies, have they not?—Yes, and other missions; I believe all the foreign missions at Constantinople have a country house as well as a town house.

1555. Can you at all account for the large prices that the heads of missions have to pay for their houses abroad?—No, I have no means of accounting for that of my own knowledge; I see that it is the same everywhere, and I have always heard, as to Paris, that though now they have built a great number of large houses, houses suitable for the occupation of the upper classes of society, still not only has that great increase of house room not contributed to render house rent lower, but, in point of fact, house rent is very much higher now in the liveable portion of Paris, than it was in former times.

1556. I think that when Lord Augustus Loftus was in want of a house at Berlin, somebody was sent from the Board of Works?—I dare say. I know only so much of the house at Berlin, that we had the greatest possible difficulty in getting Lord Augustus Loftus lodged; I do not remember the arrangement, but I think the house was taken on Government account for several years, and I believe that Lord Augustus Loftus' house rent may cover the rent of that house. But the difficulty abroad for an ambassador or minister is this, that he is liable to be removed, and therefore he cannot venture to take a house upon lease: consequently we have been obliged, in one or two cases, to take a house upon a lease for the mission. At St. Petersburgh, for instance, Lord Napier took the embassy house on account of the Government. He found that he could not get a suitable house on a lease under 1,200 *l.*, his house rent being 1,000 *l.* at the time; and it was arranged with him that 200 *l.* should

should be taken from his salary, in order to eke out his house rent when the house was taken by the Government.

1557. The lease is taken in the name of the Government?—Yes, I believe it is. I know it is in Madrid.

1558. And you oblige the man to take that house?—If it is taken in the name of the Government, he must take the house.

1559. Therefore, a man with a large family may take a very large house, and may be succeeded by a single man who only wants a small house, half the size, but he takes that house and pays for what he does not want out of his own money?—It is a choice of evils. It is much better for a single man to have a house found him, with all appliances, than to be living in an hotel for several months. I believe, at Vienna, that Lord Bloomfield had to wait a long while before he could get a house. The French ambassador was months and months out of a proper house. Of course you may say that it is a hardship, but as long as you do not call upon a minister to spend more for his house rent than his allowance, I do not see that there is any particular hardship in putting him into a house taken by Government; because we do not expect him to save anything out of his house rent; house rent is assigned to him on the supposition that he may get a house for that amount; it is not as an additional allowance to him for his eating and drinking and table, but for lodging himself. If he can get a house for the money assigned to him, well and good, but at the same time I believe that, in many instances, a minister cannot do it. It certainly is a hardship to the minister in that case; but then it comes again to this, the Foreign Office would be very glad indeed to relieve the minister from any inconvenience of that kind, but they have not the power.

1560. And when a new head of a mission arrives, he is expected to set himself up at once?—I cannot say that he is expected to do so, but it is assumed that he would.

1561. He does?—As soon as he can get a house.

1562. And he begins immediately to entertain?—That is beyond my experience.

1563. Has that never been brought forward?—It is an obvious thing; I may make an exception. As to one court I was told that for the first year, however hospitably a man might entertain people at his table, he was not expected to give a ball. I remember that being stated; I will not say where, but that I was told was the case.

1564. With regard to the duties of secretaries of legation, do you consider that they are bound to attend every day at the chancery?—The rule was laid down in a circular which you will find in the Blue Book of 1861; I should myself think that they should attend every day in the chancery, in the same manner as I attend every day in the Foreign Office. They are responsible to the minister, and through the minister to the Secretary of State for Foreign Affairs, and the country at large, for the detailed business of the mission being properly carried on. I consider myself responsible, and my colleagues also consider themselves responsible, that the business of the Foreign Office is properly carried on, and therefore we are in regular attendance at the office.

1565. With regard to the archives, is there any standing regulation at the Foreign Office with regard to the binding expenses?—Whenever a minister represents that the archives require to be bound, he is allowed to have them bound; we presume that a minister having an interest in the preservation of his archives would not allow them to run to confusion. There is a regulation that there shall be a register duly kept in every chancery, on the same plan as our diaries are kept, and of course the papers accumulate yearly. I do not know whether they do the binding periodically, as we do; we bind every year the correspondence of the year next but one preceding; but unbound archives in the missions do not accumulate so fast as ours, and they may be bound once in three or four years; but whenever they required binding, the minister would write, or ought to write, to the Foreign Office, and say that "the archives require binding, and he proposes to charge the expense in the extraordinary account"; and we invariably say "Yes." We encourage the proper keeping of the archives.

1566. Are you aware that in many missions a great many of the archives are not bound at all?—If they are not, it is the fault of the minister; if complaint had been made of any foreign mission that the archives were allowed to get into confusion from want of binding, and if we were told that they were not bound, we should desire them to be bound.

1567. When a minister leaves, the chargé d'affaires generally, or, I believe, always, writes and says that he has handed over to him the archives and the service of plate?—I cannot say whether or not he does it always; it is a matter of routine, and, strictly speaking, he ought to do so. We send a formal instruction, "You will represent Mr. So-and-so as chargé d'affaires, and you (the minister) will make over to him the archives, plate, and any other public property, that there may be at the mission." Whether the minister reports always in so many words that he has done so I am not prepared to say.

1568. Who has the chief control of the archives?—The chief controller of the archives is the head of the mission for the time being, just in the same manner as, on behalf of the Queen, the Secretary of State has the charge of all the archives of the Secretary of State's Office. The archives in the Secretary of State's Office are the Sovereign's property and under the charge of the Secretary of State; a minister, the head of the mission for the time being, has charge of the archives abroad.

1569. But he cannot himself go and look into the archives and put away the despatches, and so forth?—I presume that is a chancery arrangement, according to the distribution of the work in the chancery.

1570. Who has power to destroy papers?—I know of no power to destroy papers.

1571. Do not you think it would be well that such a power should be given?—No.

1572. Are you not aware that there are hundreds and hundreds of merely official notes that come to an embassy; sending a slave trade warrant and so forth?—I would not sanction their destruction. I know that I have been very much put to in preparing papers for Parliament from missing a despatch merely saying, "I transmit to you herewith such-and-such a paper." That seems a very slight matter, but those little trifles, which appear trifles at the moment, you might

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might afterwards wish to refer to. Some question might arise about a slave-trade warrant, for instance, years after it had been issued, and it is very desirable that the mission should be able to trace anything out. No office can be properly conducted if all the archives are not preserved.

1573. What has become of the archives in Naples?—I imagine that they are at Florence,

1574. I think I understood you to say in one answer, that you worked yourself on a Sunday?—I am sorry to say I do.

1575. Are you aware that a good many of the foreign ministers work on Sunday?—I dare say they do.

1576. Is not Sunday evening the usual evening for the dispatching of a messenger from Paris?—No.

1577. Do they never send on Sunday?—Yes, but the regular messenger nights from Paris are Tuesday and Friday. A messenger may come through, or something may turn up on another day, but the regular messenger nights are Tuesday and Friday.

1578. Lord Augustus Loftus says that the work has increased tenfold since 1837, do you believe that to be a correct statement?—Yes.

1579. And the pay has not increased in proportion?—No.

1580. Are not secretaries of legation sometimes called upon to make special reports, besides the six monthly reports?—Yes.

1581. And are other secretaries called upon to do so?—They may be called upon, but they are not generally called upon by the special direction of the Secretary of State. It is difficult to answer the question absolutely. If there was a question to be ventilated abroad, and we thought that one secretary might be more conveniently employed upon that, while the secretary of legation might be employed upon something else, I do not say that we should not give directions accordingly; but, as a general rule, the secretary of legation is the person who makes the report. But, in the volume distributed this morning, you will find a report (I have no doubt a very able one), very nearly 300 pages long, from a second secretary at Berlin, upon land tenure. He was required to make it, and I am told that it is a very able report.

1582. I think that the first secretaries may report upon any subject that they like, may they not?—The rule is that the report should be on commerce or matters of general interest in the country where he resides. Of course a secretary of legation who had remained several years in a place would not think it necessary to report every year upon the commerce of the country. He would take up one year industrial questions, and another pauperism, or whatever might prove most interesting. One man, I think it was Mr. Lumley, made a most valuable report from Russia about the tea trade. They consider what is likely to be an interesting subject to the public in this country, and I have no doubt that they tell their chiefs that they are going to make the report. In one case I remember, we called upon the secretaries to make a report upon the vine disease. As a general rule, it is much better to allow a man to apply himself to a subject which he himself takes an interest in, without defining it.

1583. Do you think that the people who come into the profession now look upon it more as a profession than people used to do?—I should think they do more than people used to do 30 or 40 years ago.

1584. They think that if they come in they will remain?—I suppose they do. I never asked the question, but I suppose they do.

1585 Junior secretaries are sometimes employed in making translations, are they not?—Yes, where translations are required.

1586. And do you know whether you have often applications for payment of paid translations?—Occasionally there is a great pressure of such translations. As a general rule we should expect a secretary to be able to translate a French, or German, or Spanish, or Italian paper, but not a Russian paper, or a Danish paper, or a Dutch paper (unless he had been in the country for some time).

1587. Do you think that the feelings of the persons in the countries to whom diplomats are sent should be consulted, that is to say, that you would not think it advisable to send to St. Petersburgh a son of a baker or a butcher?—Not as an attaché certainly.

1588. Or as the head of a mission?—Supposing that he had graduated up, you mean? It is a question really hardly admitting of an answer, because it is a thing so very little likely to occur.

1589. Mr. *Otway.*] It has no practical bearing?—No practical bearing.

1590. Mr. *William Lowther.*] Do you know any instances yourself of confidence having been betrayed by any of the junior members of the profession?—I am happy to say that I do not.

1591. Mr. *Rylands.*] Or by any person employed in binding the archives?—I believe the process is that they always bind them in the mission.

1592. But in the Foreign Office?—I never knew anything get out from our office.

1593. Not from the binder?—Neither from the binder, nor from the printer, nor anybody, except in one particular instance. An exception may prove the rule. It was not for purposes of the Foreign Office, but I think there is a tradition in the office that on one occasion a great many years ago, for another office, they were making a collection of speeches (I will not characterise the speeches) which had been made at different meetings in the country, and they were being printed privately at the office. An untrustworthy printer was employed on that, and it transpired through him that that collection was being printed. But I have never known any single thing get out connected with the Foreign Office of any kind which ought not to have got out.

1594. Then the binders of the archives have proved to be quite as trustworthy as the clerks?—Everything is done in the office.

1595. Mr. *Eastwick.*] Is your binder bound to secrecy?—We never bind anybody to secrecy; it is a sure way to make him break confidence.

1596. Mr. *William Lowther.*] Are you aware when Despatches are bound abroad that they generally put one of the gentlemen to watch over him while he is binding them?—Not of my own knowledge, but I conceive that the heads of missions would see that proper care was taken of the archives.

1597. I think you intimated the other day that a journey to Rio or Buenos Ayres was a matter of very small expense?—No, I did not intimate that. What I said the other day was, that a minister

inister being on full salary during the voyage, nd being fed by the ship, probably his passage oney would fall far short of the money that he as receiving as full salary. He is perhaps 30 or 5 days going out, and pays 70 *l.* for his passage nd his food. Now his salary for those 35 days ould amount to more than 70 *l.*

1598. Mr. *Baring.*] That is supposing him to alone?—Yes, supposing him to be alone, of urse; but even if he is taking his family with im, a salary of 3,000 *l.* a year is something un- r 10 *l.* a day, and he draws, during his passage nd for 10 days before he sets out, perhaps 350 *l.* r 400 *l.*, so that his passage money is not very uch in excess, if at all in excess, of what he is rawing for salary during the time, for he is kept he whole time on board ship.

1599. Mr. *William Lowther.*] With regard to utfit, supposing a first secretary of legation is oved from Lisbon to Madrid, what would his utfit be?—One half of the regular outfit; that , one-sixth of his salary. The full outfit is ne-third of the salary.

1600. And supposing that he is moved to the mbassy at Berlin, what would it be?—He would hen have two-thirds of his outfit on his promo- ion.

1601. Would you tell me what has become of he plate at Naples?—There never was any ublic plate, that I know of, at Naples. It is ot in the list that I put in the other day. Mr. Temple may have had plate of his own.

1602. With regard to outfits, the sums seem ather large, but I suppose that a man entering he diplomatic profession has not much money to egin with as an attaché?—I am afraid not uch.

1603. He then gets 150 *l.*, then 250 *l.*, then 00 *l.*, and then 700 *l.* a year?—Yes.

1604. During that time I suppose he is not ble to lay by much?—I am afraid not.

1605. Then he is named minister, or he may ven be made ambassador at some big post; he as then to expend a large sum of money in buy- ng carriages, horses, furniture, and various hings; do you think that is likely?—Certainly.

1606. Then he begins to entertain, and his ex- enses increase?—Yes.

1607. Taking that into consideration, do you hink that the outfits to the embassies are now as arge as they ought to be?—That is one of the ubjects which it is very painful for me to speak bout. I know that a man cannot establish him- elf upon his outfit, and I should be very glad o see enough granted him to establish himself n. I should like to set him free at the post; to ut him in the house, and then let him begin to ntertain on his salary. But, as I said before, ne's inclination is not the master in that matter; ve cannot ask for the money which we should e very glad to see given to our ministers abroad o enable them to meet those expenses. It is very hard and very cruel upon them.

1608. Do you know of any instances of diplo- mats, successful in their career, having amassed large fortunes, or indeed any fortunes?—It is impossible for me to answer that question. I do not know of any.

1609. Then you would not look upon it as a very lucrative profession?—I look upon it as a most ruinous profession in point of money.

1610. It has been rather suggested that in- formation might be obtained about different countries through the newspapers: you recol- lect when the Zollverein came into existence?—I cannot recall any details to my memory.

1611. It was some time ago; before 1840?—Yes, I think it was before 1840.

1612. Do you recollect an article, two or three years ago, in "The Times," suggesting that Prussia should join the Zollverein?—No; I am afraid that I have so much to do in business that I can read the papers but very slightly indeed.

1613. Do you think that the correspondents of the papers give a colouring to their corres- pondence which is desired by those for whom they write?—I cannot undertake to answer any question about the press.

1614. Do you think that our diplomatic agents abroad write only what they think will suit the convenience of their Government?—I should be sorry to think so badly of any of our public servants as to suppose that they would not state honestly and fairly their opinions. They would be bad public servants if they did not.

1615. You think they sometimes write what is disagreeable to their own Government?—If they have anything disagreeable to say, they should say it.

1616. And they do say it?—I should say so.

1617. Do you think that it would be possible, or that it would be beneficial, to send secretaries of legation to the South American coast, with some other title beyond that of chargé d'affaires?—I think it would be extremely desirable in some, if not in all the South American missions, that our ministers should have the title of minister resident, or minister plenipotentiary, as the case may be. That is what other nations do. The United States do it universally, I think, and some of the other nations do it. I think it might be done without any increase of expenditure; at least I would try to do it with- out any increase of expenditure, and I believe that it would not only be very satisfactory to the men themselves, as a just reward for long service, but also very much improve their posi- tion in the country in which they resided.

1618. *Chairman.*] What states do you apply that to?—To South America generally; Chili and Peru are the principal ones, but in Columbia, Venezuela, Central America, and Montevideo, I would be very glad to have a minister, and I very much regret that we have appointed, from economy, our minister at Buenos Ayres, a chargé d'affaires at Montevideo, also at Buenos Ayres.

1619. Mr. *Butler-Johnstone.*] Have you not received great complaints from Montevideo as to the smallness of the salary of our consul there?—I believe very serious complaints have been made, but my colleague will be able to answer that better than I can.

1620. Mr. *Kinnaird.*] Has there not been a memorial from Major Munro, stating the exact expenditure in respect of his salary, and of the mission at Montevideo?—Yes, and that shall be put in.

1621. Mr. *Butler-Johnstone.*] Are you inclined to think those complaints with regard to the salary of our consul well founded?—Yes, I am; I should like to state that at the time of the abolition of the post of chargé d'affaires at Monte- video, it was I who recommended the amount of the salary of the consul to be appointed there, but I am now of opinion that I estimated that salary at too low a figure.

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1622. Mr. *Otway.*] Is it not the fact that there has been a certain sum assigned to Major Munro for the providing of a clerk, and he states that there is no clerk to be provided in that country, except at a very much larger sum than that which the Government gave him for that purpose?—I saw something of the kind the other day, I cannot exactly remember now what it was; you are probably right, but the last paper that passed through my hands was an excuse that he could not do his duty as he ought to do it, because the salary would not allow him to obtain sufficient clerical assistance.

1623. Mr. *Baring.*] Sir Henry Elliott suggested that it would be desirable to reduce the number of secretaries to some of the legations, and in cases of illness or emergency to supply their places with clerks from the present Foreign Office; how do you think that would work?—We could not supply them from the Foreign Office; we have only barely enough to do our current business. And in addition to that it would just amount to the same thing. As far as I understand Sir Henry Elliott's statement, putting it in figures to make myself more understood, it was this. Supposing he has now four secretaries, he says that three are quite sufficient to do the current work, but that it would be necessary that those three should have their regular leaves in succession, and that as two could not do the current work, the Foreign Office must send a person to supply the place of the man on leave; and that I presume will not simply apply to the embassy at Constantinople but to all our embassies. Well, the effect of that would be that we must keep a sort of co-operative store of clerks or secretaries to draw upon as there might be a demand for them. These would be second secretaries to all intents and purposes, and of the most expensive kind, because although you may send a second secretary at a low salary (and we do that I am sorry to say) to live at a place two or three years, yet he can take a lodging, and perhaps make some economical arrangement, but if you send a second secretary from England for three months, you must pay him much more liberally than you would pay your regular second secretary, because he would be obliged to live expensively at an hotel, probably at double the expense that he would otherwise incur. In addition to that a second secretary, with all his ability, on first going to a mission cannot be as useful to the mission as if he regularly belonged to it. A man will require perhaps two or three months to acclimatise himself to the mission, to know the ways of business in the mission, and the papers in the mission. Moreover, in another way it would not answer I think, because as we hold it to be a very important part of the duty of a second secretary to have friends and acquaintances in the place, and go into society, a new man coming to a place would not be able to be of the same use in that respect that a man regularly attached to the mission would be; and practically you would keep a mission with the same number of men, but not so useful and much more expensive. That, I believe, is the upshot of the proposal.

1624. You think that it would be neither so efficient a service nor ensure any economy?—It would be ruinously expensive and thoroughly disorganising to the service.

1625. Mr. *William Lowther.*] In Question 304 this question is put to you: "The present system, in fact, shuts out the sons of poor clergymen, or of gentlemen of small means, or the sons of tradesmen who may have acquired a university education, and are otherwise suited to fill positions in the public service." Do you think that the son of a poor clergyman or gentleman of small means if he took a good degree would go into the diplomatic profession?—I do not believe that he could afford the expense.

1626. A man who took a good degree would probably become a fellow?—In all probability.

1627. And he would in course of time go to the bar, and in course of time to Parliament perhaps, and would thereby find a shorter means of making his fortune?—Certainly; and what I observed the other day I believe is perfectly true, that under the new system at the university, professorships and things of that sort hold out so much inducement to men to stay at the University that, I know in one particular college, they have a great difficulty in finding fellows, except quite juniors, to go out and take Church preferment.

1628. Mr. *Rylands.*] In reference to the vacancies, you stated that as a matter of course pensioners could not be asked to serve unless there was a vacancy; can you say whether during the last five years, during which there have been several vacancies in embassies and missions, any one of the gentlemen on the list of pensioners has been asked to serve in any of those cases?—It is a matter which I am not competent to speak about; appointments to missions, as all other appointments, rest entirely with the Secretary of State; I cannot say whether they have been; indeed, it is a question which I could scarcely answer with propriety, because the next question, of course, might be, "Why were they not?" and that would rest with the Secretary of State to answer.

1629. I ask whether within your knowledge any of these pensioners have been nominated to the appointments of vacant missions and embassies?—I remember that Sir Charles Wyke was called into active service in that way.

1630. Mr. *Otway.*] As the Permanent Under Secretary of State, you have no power to increase or diminish a pension, or to grant or refuse a pension to any person in the diplomatic service?—Not the slightest.

1631. You have read section 11 of the Act of last year, providing for the payment of diplomatic salaries and pensions, "If any person who is in receipt of a pension or temporary allowance under this Act, and has not attained the age of 60 years, and is not incapacitated by infirmity of mind or body (proved to the satisfaction of the Secretary of State by a medical certificate or otherwise), refuses, when required so to do by the Secretary of State, to proceed to any mission which is of the same rank as that in respect of which his pension was granted, or to some mission of higher rank, he shall forfeit his right to the pension and allowance." Is not that in your opinion an imperative condition?—It rather turns upon what "refusal" is. If the Secretary of State were to press the man and say, "I require you to go there," then it would come within that provision; but if the Secretary of State were to ask a man, "Would you like to go there?" and the man were to say, "No, I would rather not go there for some reason or other," that would not to my mind amount to a refusal to go.

1632. You

1632. You have been asked several questions ith regard to the admission to the diplomatic rvice, and to the Foreign Office also; do you nsider, from your long experience in the oreign Office, that if there were any general eling of discontent at the system under which lmissions to these two services obtain, you uld be ignorant of it? — Certainly not; a eneral feeling must come within my knowledge.

1633. Are you aware of any general expression discontent on the part of the country?—No, I n not aware of it; I have seen it alluded to, t as to its being the general impression, my n conviction is, that the country is very well ntent with the present system, as a whole.

1634. Would you not feel justified in saying, at if not content, at any rate they are indiffe- ent to it?—Certainly they are indifferent to it, they would have expressed their discontent.

1635. A question was asked you with refer- nce to the admission of the sons of small adesmen, and, I think, even the son of a utcher; have there been any complaints from ne butchers, or small tradesmen, of the exclu- on of that class?—I have never heard any mplaint of the kind.

1636. Do you think, from your knowledge of ne diplomatic service, that it would be condu- ive to the interest of the public service, looking the state of society in such capitals as specially St. Petersburgh, Vienna, Paris, and Berlin (and I do not know whether I would ven exclude Washington), that the sons of small radesmen, a respectable class society but still f that social position, should form members of ur diplomatic body?—I think that it would be tterly out of the question; and I believe that he same rule as is laid down in our own service, pplies in every diplomatic service in the orld.

1637. I was just going to ask you, whether it s not within your own knowledge that the iplomatic service in every other country is nanned, very much I may say, from the same lass of society as ours?—Very much, as ap- ears from the papers that I have referred to efore the Committee.

1638. You have mentioned, and Lord Malmes- ury has mentioned, the great confidence that very one who has had to do with the Foreign Office must repose in every one employed in it, ith regard to their discretion and their honour. Could you feel that same confidence in a class of nen who might be learned and excellent men, ut who had come into the office on public com- etition, and without their character being known o those who appointed them?—I am unwilling o enter on that point. But the principle on hich open competition is proposed to be worked, s, I believe, that the people who by that means ome into an office should not be employed in onfidential business. I think that is the general mpression as regards open competition. I cer- ainly think that it is very desirable in the oreign Office for carrying on the business of he office, and for the discipline of the office, that ll the men should be in the habit of mixing with ach other on equal terms in society. If another lass of people were introduced, who did not ork with the members of the office on friendly erms, we should be obliged to employ many nore hands in the office, for we should not get he work done in anything like the time. I ave no hesitation in saying, that half of the merit of our office consists in the means that we have of dispatching almost an inconceivable amount of business in an inconceivably short space of time, and that you can only do with good fellowship, and social fellowship, amongst the clerks in the office, and that prevails to an extent which nobody but those practically conversant with the office can appreciate. Long as I have been in the office, I have never known the clerks in the office daunted by any amount of work, or shrink from any amount of sacrifice. The work will be done. It will be a give and take thing among the clerks. If I say to any division, or more than one division, "This or that thing must be done in a certain time," I am as sure that it will be done as if I had already seen it done; and that can only be managed by an office in which what is commonly called a good esprit de corps prevails.

1639. Take the duties of a resident clerk; he must necessarily be in possession in critical times of very important and early information, before you, or I, or the Secretary of State even know it?—Yes.

1640. Is there any instance in your knowledge of the confidence reposed in those gentlemen being betrayed?—I have never known, as regards a resident clerk, or any clerk in the office, anything to transpire that ought not to transpire.

1641. Necessarily, then, a system which has been carried on with such success for so long a time you would feel very much averse to disturbing?—I think that it would be perfectly ruinous to alter the system. Our system has gone on now for a great number of years, I was going to say unchanged, and that not merely as going on in the ordinary groove, but because it has been found to work well in every respect; otherwise as, under Lord Palmerston, we made it ourselves, we should alter it ourselves; and you know as well as I do, and some of the Members of the Committee may know, that the system which was in force 16, and indeed many more, years ago with respect to the general arrangement of the business of the office, is now in force, and we cannot improve upon it, and I do not think any person could improve upon it.

1642. My question referred entirely to the class of men who come into the office?—The system of our office is that there should be no secrecy among ourselves. A junior clerk is admitted into the confidence of the office as much as any senior who has been there for 20 years.

1643. I think it may fairly be said, may it not, that the Foreign Office is somewhat special, and that that does not apply to other offices which applies to the Foreign Office?—It is a special office from the special nature of the business, and from the fact that the business must be done out of hand, so to say.

1644. And that is of a very confidential character? — Yes, it is of a very confidential character, and comes in at uncertain hours and uncertain times, and must be done on the spur of the moment.

1645. To apply the system of the Foreign Office to ordinary commercial arrangements, do you think that any merchant would employ a young man in a position of the greatest confidence of whom he knew nothing, who had come to him merely from passing a successful examination?—I should think that he would not. I can hardly say on what principle a merchant would

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would regulate his counting-house, but I should think that in all probability he would inquire very much into his character, and not only that, but probably exercise a greater watch over a young man, and know more of his whereabouts out of office hours than we think necessary.

1646. Several questions have been put to you with regard to promotions in the service, and I observe that in one answer you instanced the facility with which certain gentlemen in the office procured rapidly a Paper (it was a Paper, I believe, which I required that you alluded to); does not work of that kind afford both to you and to whoever may be filling the office of Parliamentary Under Secretary at the time, an opportunity of judging of the capacity and willingness of a man in the office?—Yes, certainly.

1647. Therefore, do you think that under those circumstances the Secretary of State, having the aid of the advice of the two Under Secretaries, who must naturally be cognisant of the power of work, and of the willingness to work of those under them, would have any difficulty in promoting men according to their ascertained merits, rather than as at present, almost entirely by seniority?—He would have no difficulty in doing that, but there is a great deal of difficulty in saying that a man ought to be passed over. I have had a great deal of experience in that sort of thing, and I have found that when, as I have said before, I have had occasion to recommend that a person's promotion should be delayed, that person has turned out afterwards (I will not mention names) one of the most able men in his generation, and one whom we could with great difficulty have spared from the office. I certainly was instrumental in stopping that person's promotion for a certain time for a good reason. When I say instrumental, I wish the Committee to understand that it was not my own act alone, but also that of my colleague for the time being. The thing was discussed between us, and very anxiously discussed, and our duty was to lay the case before the Secretary of State. The Secretary of State was guided in that matter by our opinion; and at a future time, when the person who had been so unfortunate had shown that he was deserving of being promoted, my colleague and myself, having consulted together, and having taken the best means we could in the office of ascertaining the merits of the man, represented the case as we always do to the Secretary of State, and he in his judgment decided upon our representation.

1648. The Secretary of State selects a man for the post of minister or ambassador; can you see therefore any reason why he should not exercise the same responsibility in selecting a man from the office for a higher post than that which he now fills, according to his supposed merit?—Not the least; and I say that I have known instances in which a person has been promoted out of his turn.

1649. Still the rule of promotion, and it is a rule with rare exceptions, is by seniority?—You would not pass over a man unless it was really hopeless to give him his promotion; that is a thing in which you have not had the experience which I have had, so as to know how thoroughly painful it is to have to come to a decision of that kind; it has at times given me many an anxious night to decide such a point.

1650. Does it not seem to you that the Secretary of State would have a great advantage by the recommendation of these young men, and the reports of their efficiency being made to him by the Under Secretaries?—A Secretary of State would in all probability not promote a person in the office unless he had taken the opinion of the Under Secretaries of State. The usual process is, that when a vacancy occurs, the matter comes to me in the first instance, and I refer to my colleague, saying that there is a vacancy, "So-and-so is the first, do you see any reason why he should not be promoted?" and he returns me an answer, and our two opinions go to the Secretary of State.

1651. With regard to Question 514, you were asked there about Wurtemburg. Are you aware whether the French Government maintain a diplomatic representation with Wurtemburg?—The French Government maintain a diplomatic mission at Stuttgardt, consisting of a minister, with a salary of 1,800 *l.* a year, two secretaries, two attachés, and a chancellor. They also maintain a separate mission at Baden, consisting of a Minister, with a salary of 2,000 *l.* a year, two secretaries, two attachés, and a chancellor. The British Minister at Stuttgardt, who is also accredited to Baden, receives a salary of 2,000 *l.* a year.

1652. There were a number of questions asked you with regard to the German missions, running from Question 507 to Question 518. Have you any remarks that you would like to make on that subject?—I wish to say, with regard to that, that the United States maintain a diplomatic representative with the character of a minister of the third class at Brussels, the Hague, Copenhagen, Stockholm, Athens, Lisbon, and Berne. They are not in diplomatic relations with Bavaria, Saxony, Wurtemburg, Darmstadt, or Coburg; but they maintain a consul and vice consul at Munich, the former with a salary of 300 *l.* a year; a consul and vice consul at Dresden, the former paid by fees; a consul at Stuttgardt, with a salary of about 200 *l.* a year; and a consul general at Frankfort, with a salary of about 600 *l.* a year. If, as suggested, we were to reduce our missions at the courts above mentioned, to which the United States appoint ministers, to the lower rank of chargés d'affaires, the position of the country in Europe would be disparaged, and with that its influence entirely destroyed. I would refer the Committee to a better witness than myself on this subject, namely, to Lord Palmerston's evidence given before the Committee on Official Salaries in 1850, at Questions 654 to 693, page 72 and the following pages. Then I would further beg leave to say that the cost of the United States diplomatic service, as appears from their official returns, amounts to not less than 85,000 *l.* a year. Lord Palmerston said, in giving evidence before the Committee, on official salaries, in answer to Question 413, page 50, "The position of the United States renders their European diplomacy a matter to them of very secondary importance; they are separated from Europe by the Atlantic; they have no direct interest in most of the things that pass in Europe, and the chief thing that they want is information." Then I would go on to say that the cost of the United States consular service amounts to 108,000 *l.* a year. But it is not, perhaps, an unfair thing, in contrasting the cost of those services in the two countries to consider also the proportion between

tween the expenditures of the two countries, not for political, but for merely commercial interests, and to see which is the most economical. Perhaps the Committee will be surprised to learn that we are considerably the most economical. I will put in a detailed Paper with reference to that. It is rather a curious calculation, but for every one pound expended by Great Britain in the diplomatic service we protect 2,439 *l.* of trade and 101 tons of shipping, while the United States, for every pound expended, protect only 2,082 *l.* of trade, and 80 tons of shipping. For the consular service, one pound in our service protects 2,050 *l.* of trade, and 85 tons of shipping, and in the United States, 1,647 *l.* of trade, and 63 tons of shipping; the total result being that we protect 760 *l.* more of trade by our aggregate services, and 43 tons more of shipping, for every pound expended than the United States protect. (*The Statement was handed in*). Then a question has been raised outside of this Committee as to the amount of our naval protection in China, as compared with the naval protection of the United States. I think the statement was that the United States only employed nine ships of war to protect the United States trade in Australia, the East Indies, China, and Japan. I have only the accurate sum as regards China; but we have above 37,000,000 *l.* of direct British export and import trade to protect in China, including trade between China and India, and the United States have 2,230,755 *l.* to protect. We have British ships entered and cleared in China to the number of 7,165, with a tonnage of 3,332,092 tons; while the United States have 3,623 ships entered and cleared, with a tonnage of 2,232,327 tons. In addition to that, I may say that exclusive of the trade between China and India, the British Indian trade with foreign countries, which is also under the protection of our ships in those seas, amounts to very nearly 23,000,000 *l.* sterling; I cannot give you the Australian trade. The direct foreign trade from the East Indies to all countries, China included, is 32,000,000 *l.*, and I have given 9,000,000 *l.* for the opium trade, leaving 23,000,000 *l.* for the rest of the trade.

1653. Mr. *Holms.*] Have you taken the fees all off?—No, because it comes as broad as it is long whether you pay by fees or by vote of Parliament. The difference is this, that if you pay by fees you tax a portion of the community to maintain your consuls, and if by vote of Parliament, you tax the whole community.

1654. But a difference will arise from the fees not being returned in our case, and being returned in the case of the Americans?—They are returned in our case. The difference is this, that our fees apply to 39 articles, and the American fees to 109. I have put in a table to day on that point.

1655. But our arrangements for having fees returned are very defective?—No; I beg your pardon, our arrangements are not defective.

Monday, 4th April 1870.

MEMBERS PRESENT:

Viscount Barrington.	Mr. Holms.
Mr. Bouverie.	Mr. Kinnaird.
Mr. Butler-Johnstone.	Mr. W. Lowther.
Mr Cameron.	Mr. Otway.
Sir Charles W. Dilke.	Mr. Rylands.
Mr. Eastwick.	Mr. Arthur Russell.
Mr. W. H. Gladstone.	Mr. Richard Shaw.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, re-called; and further Examined.

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1656. Mr. *Otway.*] IN answer to some questions of mine, you have spoken of the confidential character of the business generally conducted in the Foreign Office, and you adverted to the circumstance that the youngest clerk in that office was by the system of the office necessarily cognisant of business of that confidential character; there is one department, is there not, where the business, as a rule, is not of so confidential a character; indeed, I may say not of a confidential character at all, namely, the commercial department?—It very much depends upon circumstances. In the ordinary routine of commercial and consular business it is not confidential; but if there is a treaty or a negotiation with a foreign power that is necessarily most confidential, because it would be a great mischief both as regards this country and as regards the power with which you are negotiating, if the confidential communications between offices in this country, or the intentions of the Government in dealing with the questions turning upon those negotiations, were allowed to transpire. Therefore, I cannot say that the consular and the commercial departments are not equally confidential with other departments. It is true that they have not so much confidential business to transact, but still every clerk in that division has access to the register and to the papers, and may be employed in a pressure of business upon the most confidential matters relating to an important commercial negotiation, and I am unable, and should be very reluctant, to draw a distinction between it and of what is strictly political business.

1657. Disregarding for a moment the contingency to which you have alluded, and also setting aside for a moment any opinion that you may have formed as to the comparative expenditure which would be caused by the employment of different classes of persons, is it not the fact that the great bulk of the work in the commercial department, such as consular and commercial despatches, is such as might be copied by any person without the public service in any way suffering?—The difficulty there as in other divisions would be in mixing in the office two different classes of persons. And moreover, what I feel most strongly is this, that we look to a clerk when he comes as a junior into the Foreign Office eventually rising to senior stations, and I am quite sure that no person can properly conduct business in a senior station unless he knows from the beginning by practical experience all the little petty routine of the office which falls, as you may say, to the lot of the junior clerks in the consular as well as in other divisions.

1658. Those are considerations unquestionably of importance; but setting them aside for the moment and reverting to the question, is it not the fact that the great bulk of the consular and commercial despatches, for instance, 99 out of a 100, are not of that character that any damage to the public service would be entailed by a less confidential class of clerks seeing them?—But that really involves another question. You must have in the commercial department a power of putting your whole staff upon any particular matter; and if you were to put in a certain number of clerks who would not sit in the same room with other clerks, because they would be separated as mere copying clerks (as I believe they are in most departments; we happily have none of them) under a superintendent of copyists, our consular and commercial division, I apprehend, would at times be very severely taxed to get through in proper time some of their business which is most important to the general interests of the country. My feeling is strong (and I cannot distinguish between the two matters) that we have not more clerks of a confidential class than we require to transact our confidential business in any and every department; and that if we imported into the office what may be called copying clerks at a daily rate of wage, with no hope and with no expectation of rising beyond a very limited income, we should be badly served, and all the money that we paid to them would be thrown away for the purposes of the office. We must remember that the office is an office of great importance, and it is of great consequence that every man in the office should be able in his turn, or even out of his turn, to carry on and discharge any duties that may come before him; and our numbers are adequate to that, but not more than adequate. We could not dispense with one of our

our men. If we employed copying clerks they would be an increase of expense, and disorganise and ruin the office. And then, as I have already explained, I cannot omit this further consideration in discussing the matters. In consequence of the discussions which have been going on in regard to open competition and copying clerks, I took the trouble to compare the cost of our 15 junior clerks with the cost of 15 copying clerks in the office of another Secretary of State, and the result was that our expenditure was 600*l.* or 700*l.* a year less for clerks, who would be useful to us in all times, whom we could employ on all business, and about whose conduct and general behaviour we would not have the least anxiety.

1659. But the clerks in the Foreign Office rise naturally, and their pay naturally increases with their length of service till they rise to a fair remunerating scale of pay, 800*l.* or 1,000*l.* a year. The copying clerk, I presume, would remain at the rate at which he was originally paid, so much per day or per week, according to his engagement, would he not?—Certainly; but then, as I say, we should be paying a superabundant man; we do not want him for the purposes of the office. We want our confidential clerks, every one of them; whether they rise or do not rise, or continue at a low rate of salary for a number of years, there must be confidential clerks of that number; they are, usefully to themselves and usefully to the office, with reference to their future rising, engaged in learning the A B C and the whole alphabet of their profession. I express that opinion very strongly, and I hope the Committee will bear with me in doing so. I came into the office as a junior clerk a great number of years ago, and at this very time, from day to day, almost from hour to hour, I find that the knowledge of the routine of the office that I acquired in my probation as a junior clerk, enables me not only to assist myself, but to assist the clerks around me in getting through the business of the office quickly, satisfactorily, and certainty.

1660. I can bear my own testimony to the latter part of your answer; but you are aware that my question applies to the commercial department only? — Yes; and I express that opinion with respect to all whom we call the clerks on the establishment of the office. I think we have now about 40, but practically we have only about 37.

1661. Have we not three departments in the Foreign Office; one a department of very great importance, the treaty department, the chief clerk's department, and also the librarian's department, in which a class of clerks are introduced, who are not on the establishment or on the same footing as the other clerks in the Foreign Office?—But their work is distinct from that of the other officers, and moreover they are paid at a far higher rate than a copying clerk would be. With regard to the librarian's clerks, for instance, every paper, confidential or otherwise, is open, and not only open and accessible to them, but they are necessarily obliged to make themselves acquainted with it, because our librarian's clerks are obliged to abstract shortly the despatches in order to make a register more extended than that which I put into the hands of the Chairman, which is always done as soon as possible after the papers are bound. They have also to make references of the most confidential kind to all the most confidential correspondence, and you could not employ in that business people whom you had not tried and of whom you had not full assurance that they had studied in the office and acquired the means of digesting what they read, and thereupon making those reports without which no Secretary of State, no Under Secretary of State, and no senior clerk could carry on the business of their respective divisions.

1662. Is there anything in the nature of the work in the commercial department which would prevent a class of persons being employed in that department not immediately connected with the office, as they are in the treaty department, and librarian's department, and chief clerk's department?—I should say that it would be very objectionable; but after all, it just comes to this, that you are pressing me to say that we want more clerks than we have now; I say that we cannot do without a single one of our clerks, but I say that we can do our business, political and commercial, with our present staff; and therefore if you ask me whether other clerks might not do a part of that business, I say, that if you employ such other clerks, you would be throwing money away by employing them, and paying money to people who, except as mere machines, would never be of the slightest use in the office.

1663. But as a matter of economy, it would be economical, would it not, to employ a man to copy a consular despatch, whom you paid at the rate of 30*s.* a week, rather than one to whom you would eventually have to pay 1,000*l.* a year?—That man, when you pay him 1,000*l* a year, has well earned it by the knowledge that he has acquired in the lower departments, which has fitted him for discharging those duties properly which are required of him when he receives the 1,000*l.* a year.

1664. Do you not think that, to take a young man from the University, or such men as generally enter the Foreign Office, it tends rather to damp their energies, and somewhat cramp their intellect, if for three or four years they are employed in the work of copying consular despatches?—Their energies ought not to be damped, nor would they be if the system could be pursued which ought to be pursued in every division of the office, and theoretically is pursued, of a junior member of the office being moved from one division to another after two years' service in any division. Unfortunately for myself, the consular department have at this present moment so many good clerks, that they will not part with them, though I should be very glad if I could move some of them into other divisions.

1665. You were asked a question about the archives. Has the public service received any damage, or any hindrance, from the destruction of the archives in the fire at the Constantinople Embassy?—We were obliged to supply the principal archives, at a large expense of public money. Of course we did not possess the means of providing the Turkish documents; but I forget the sum (I could tell you, if you wished, by referring to our accounts) which was paid for copying the public despatches for a great number of years, in order to send them out to supply the archives at Constantinople. The Turkish papers were lost, and in that same

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calamity, I believe (and I am glad to refer to this), a gentleman, who was then acting as one of our senior dragomans for political business, namely, Mr. Frederick Pisani, lost a work on which he had been long engaged, and which would have been most useful to the public and to those who live in Turkey, but which, in his advanced age, I believe he has not yet been able to restore.

1666. There was a duplicate of all those papers in the Foreign Office, was there not?—A duplicate of the despatches, but not of the papers in the Turkish language, which are not sent home. I can hardly tell you where those are kept at Constantinople; whether they are kept by the dragomans, or in the embassy. That fire swept everything away, private and public property, and private and public residences, and the loss was very severe in every respect.

1667. Mr. *Rylands.*] Have you any reason to suppose that British interests suffered in consequence of the destruction of those papers?—It is impossible for me to say; the fire took place in 1831, when I was a very junior clerk, and I cannot say what inconvenience, or whether any, may have been experienced at Constantinople from the want of those papers which were then destroyed. For myself I should be inclined to think, judging from the experience of the Foreign Office, that it would have been a severe and daily loss and inconvenience to be deprived of documents which, however apparently worthless, might have been required to be referred to in the daily and hourly transactions which we have with the Porte, with the consulates, and with private persons having interests in Turkey.

1668. Mr. *Otway.*] When are the papers sent to the State Paper Office; after how long?—We keep them as long as we have room to keep them; I believe that we now are able to keep in the office the entire correspondence from the year 1783.

1669. *Chairman.*] Have you got it all in the office from 1783?—We have got it all. In former times, before the new building was erected, we were obliged to deposit in the State Paper Office, papers even of 20 or 30 years' standing, and the inconvenience was so serious that we were very glad when the new office was built to discover that there was an entire story in the office which could be appropriated to our own manuscripts or printed library, and the vast accumulation of papers of different kinds which, in an office like ours, is sure in the course of time to be got together: we have now, for the first time, access to a library of very valuable printed books, which fills rooms above 110 feet long, and are piled up nearly to the ceiling, and all through the rooms. Those books are very valuable both for their worth and for daily reference, for our own purposes; and it is only since we have got into the new office that we have had ready access to them; in the old office, in Downing-street, they were put in cellars and in rickety rooms where there was not the slightest protection from fire, not the slightest means of access to them, no catalogue, and no means of knowing what we had. When we went into the house in Whitehall Gardens there was a large kitchen, cellars, and some rooms adjoining, in which we managed to pile the books, and make a catalogue of them. Now we have got a proper library, and certainly I was never more surprised in my life (and I believe the librarian was equally surprised) when I found the vast accumulation of valuable books which we possessed, but never before had any means of access to.

1670. Viscount *Barrington.*] You speak of them as being "piled up" now; are they in book shelves?—Yes; I rather take a pride in that library, and if any gentleman of the Committee likes to call on me any day, I should be very glad to show him over it.

1671. Mr. *Otway.*] Do not you think that there would be some advantage in appointing to each mission a chancelier, on the French system, to take charge of the archives, and who would hand down the traditions, so to speak, of the legation when a new chief came in?—I do not think that it would be desirable, except in a place like Constantinople or Paris, where the archives are very voluminous; there we cannot well dispense with such an officer, for they are so voluminous. I said the other day that Paris was provided with a copy of every important political paper that came into the Foreign Office; but the objection to that system of a resident chancelier is this, that under such a system the secretaries and attachés would never have occasion to exert themselves to study and to make themselves acquainted with the business of the mission in which they were employed; they would rely upon the archivist, and the minister in his turn would be more likely to employ a man who had ready access to and knowledge of the archives, than his own secretaries; and that would be a very mischievous thing, and it would do what I think as a general rule is objectionable, namely, domicile a man perpetually in the same place. And besides that, you must remember that that chancelier must have his leave of absence, and when he goes you would have one of the secretaries called upon to supply his place, without any knowledge of the papers, without any interest in the papers, and therefore perfectly unable to give the minister, or the office generally that assistance which a minister and the office expect to find from persons well acquainted with the archives, which every attaché, and minister in fact, ought to be. I conceive that when a minister goes to a place, if he has not before he took his departure read up the correspondence in the Foreign Office, or generally acquainted himself with it, the first thing that he would do would be to send for the registers, and go through the registers, or the important correspondence, for himself, in order to make himself acquainted with it; he would not choose to depend absolutely upon another person with whom he had no personal connection, and over whom you may say he had only a precarious control.

1672. But in the case of archives, going back so far as those to which you have alluded, the frequent transfer of secretaries, every two years, for instance, would prevent them from obtaining that acquaintance with the archives, if they properly discharged their duties, that the chancelier, if always there, would obtain?—I do not mean to say it is necessary that every secretary, or every clerk of the Foreign Office, should know the correspondence of 50 years, but he should know how and where to put his hand upon it, and

how to get at it; and that he would never rest or trouble himself to do if he were taught depend upon the librarian's department, or chancellor. I know that even in the Foreign ce we have some difficulty at certain times of sure to make our clerks work the cases out for nselves, rather than refer to the librarian. have a standing rule (I do not mean to say it is generally acted upon) that it is only in ard to correspondence going back for many rs that the librarian is called upon to make abstract. Strictly speaking, the abstract ght to be made, if it goes back only a few rs, by the clerks in their respective divisions, they find, with the pressure of other business, t it is more convenient, and more expeditious, haps, for them to refer to the librarian's de- tment. I think it is not a good plan, but n you must remember that those clerks of s are constantly looking through the corre- ndence, and looking at the correspondence, l tracing papers out, and making abstracts minutes, and therefore they do not depend entirely upon a permanent officer, like the rarian, for obtaining that information, and that erest in the papers which would be, I am sure, nerally the case in missions if an archivist re attached to each. And I think, if I do t mistake, that at the present time, since this mmittee has sat, but certainly in the Com- ittee of 1861, an objection similar to that which am now taking, was taken against attaching discriminately to missions officers such as a ancellor. But as regards the term "chan- llor," I do not believe that the chancellors in e foreign chanceries have that access to the chives which is supposed. I believe that their uties are different; they are not archivists. We ve an archivist at Paris, a registrar we call m, and we have another at Constantinople, and owhere else; and I confess, myself, I think it ould be an unnecessary expenditure of public oney, and injurious to the public service, if we tended such appointments beyond those two laces.

1673. My question had reference to the ap- ointment of a man filling the office of chance- er; the chancelier draws out notarial acts, and pies unimportant political despatches in the rench service, and performs other duties be- des attending to the archives; my question was hether the appointment of such an officer as at would not be advantageous, inasmuch as he ould have a more intimate knowledge of the rchives, and you would have a man performing t the same time other duties of the legation, and ould thereby be enabled to relieve the staff of e legation?—I honestly tell you that I do not ink it would answer on any grounds. In the rst place, I do not think that we want in our iplomatic chanceries a person competent to raw notarial acts. It is no part of their iplomatic duties, properly so called, to do hat; as I understand your definition of the uties of a chancellor, I believe it to be orrect. A chancellor is not what is considered trictly speaking a confidential employé of the ission; and my contention is this, that you annot safely and conveniently, or for the benefit f the public service, have any person in a ission who is not trusted, and to be trusted ntirely with every paper, and all secret and onfidential information that comes into the mission. Our registrar at Paris is Mr. Atlee, who was for many years Lord Cowley's private secretary, and therefore a person upon whom the most implicit confidence can be placed. Our archivist at Constantinople is Count Alexander Pisani, who has been, I believe, 50 years in the service, has acquitted himself honourably and uprightly throughout the whole of his career, and who, I believe, is a man whose like you could hardly find in any other public service.

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1674. Yet that discrimination is constantly shown, is it not, between work that can be confided only to members of the embassy and the service, and work which others can be called in to perform; take for instance the case of translations?—A translation is generally of a document which is public in its nature. A printed paper or a lithograph paper may come into the hands of a mission, which it is very desirable should be sent home in translation to the Secretary of State's office. But I am not aware that what you would call confidential correspondence of the Government or of the minister would be placed in the hands of a translator, so to say, out of doors, in order to have a translation of it.

1675. Mr. *Rylands.*] If the junior secretaries of legation, the second and third secretaries, were not moved from post to post, would it not be practicable to attach to the position of under secretary of legation the duties of an archivist?—It would be very injurious to the public service to fix the men permanently at certain posts.

1676. I am quite aware that you are very much in favour of moving the under secretaries of legation from post to post; bnt I ask you whether, supposing that they were not so moved from post to post, but were attached more permanently to missions, this particular duty could not be assigned to them with their other duties?—Of course it could; but in seeking to attain that end you would be doing a great deal of harm to the service.

1677. In the small missions you actually do attach the duties of archivist to the under secretaries of legation?—That is to say, in the same manner as in the Foreign Office. In each division of our office the papers are kept in the division for about two years. They do not go into the library till you may say the divisions have done with them. Every one of our clerks in the office is, as regards the correspondence of two years, you may say, an archivist; he arranges the papers and puts them by, and sorts them. But then that is quite a different thing from keeping a man permanently in the post.

1678. However, the fact is that, in the smaller missions, the duties of archivist are fulfilled by the under secretaries of legation; and I asked you whether that might not be extended to the larger missions, provided that there were not such constant change amongst the under secretaries of legation?—In regard to the larger missions, I have named the only ones where we have archivists that remain permanently, and where there is no question of moving them at all. They are not diplomatic attachés, except so far as honour is concerned; they are not in the diplomatic career.

1679. However, there is no absolute reason why

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why they should not be, I presume?—No, there is no absolute reason why they should not; but then we do not think that it is desirable that a person should, if he is to rise in the diplomatic service, remain permanently at one post. His mind becomes stagnant if he does; he has no incentive to exertion; he does not qualify himself by general knowledge to occupy those posts to which in due succession he ought to attain, and always may hope to attain.

1680. Mr. *Otway.*] You have been asked several questions about the Foreign Office agencies; the contemplated change will inflict very serious loss on these gentlemen, will it not?—A very serious loss indeed.

1681. Have they shown, at any time, any obstruction to this change, or have they not, on the other hand, shown a perfect willingness to meet all the schemes that have been propounded, and confidence in the justice of the House of Commons with regard to their case?—They have shown the most perfect submission, and the most complete desire to co-operate with the wishes of the House of Commons. They know, and regret, that their friends, for whom they have acted as agents, will be most seriously inconvenienced by the change of system; they know that they themselves will suffer great pecuniary loss, but they have submitted to it with resignation, in the full belief and hope that when their case is fairly stated by themselves, and those who are interested in their behalf, to the House of Commons and to the Treasury, they will be justly compensated, as it always has been held that they should be compensated, and as the House of Commons, as shown in the paper that the agents have put in, have recognised to be the right, and the just due of public servants who have been allowed to undertake private agencies, but who, from motives of policy, or other motives, have been directed to abstain from continuing to do so.

1682. Mr. *Kinnaird.*] Has any answer been obtained from the Treasury as to the arrangement proposed to be made for the convenience of ministers and consuls in the suppression of Foreign Office agencies?—No answer has yet been received. The Treasury have doubtless been, during the last two months, fully engrossed with preparing the Estimates, and other financial matters, for Parliament. The Estimates are now presented, and I trust that they will very soon be able to give us an answer. It becomes now really to us a very serious matter to have that answer soon. We have undertaken that the agencies shall cease on the 30th of November next. We wish and intend to effect that; but unless we are soon able to notify to our ministers and consuls in distant quarters of the world that the heretofore existing arrangements will come to an end on that day, and that they must make their arrangements for receiving their salaries, or for getting their correspondence irrespective of those facilities which were extended to them by the agency system, they will be put to very serious inconvenience; and I honestly that say I am getting very anxious as to how many of our servants will be able to obtain their salaries, which will fall due to them on the 31st of December next.

1683. *Chairman.*] Are the agencies actually put an end to, or is it only contemplated that they will be put an end to?—The agents go on transacting their business and receiving their percentage till the 30th of November next. Of course it was necessary to allow them to go on in order to give such notice to the members of the diplomatic and consular services as would admit of those members making other arrangements.

1684. And notice has been given to all the service that the system will terminate on that date?—We are precluded from giving notice, except what has been stated in Parliament, because with that formal notice we must be able to say how the men are to get their salaries, and what arrangements, if any, can be made for their correspondence.

1685. And as yet that no such arrangement have been made?—No such arrangements have as yet been made, and it is that that we are waiting to hear about from the Treasury. A circular was drawn of the same date as that letter which I put in as being addressed to the Treasury, but that circular was suspended because it was felt that unless we told our people what system could be substituted for the system about to die out, they would be very much embarrassed, and the whole thing would get into greater confusion than it is in now.

1686. Mr. *Otway.*] Still, as a matter of fact the public declaration in Parliament, independent of communications from the Foreign Office, has informed every member of the diplomatic and consular services that on the 30th of November the present system of agencies will come to an end?—I consider that it has.

1687. Mr. *Arthur Russell.*] There have been no complaints from the members of the diplomatic service against the agency system, have there?—I believe that the general feeling in the diplomatic and consular services is one of unmixed regret at the abolition of a system which has served them, under which their convenience has been greatly consulted, under which they have made many personal friends, and from which their connection with the Foreign Office has been most close.

1688. What was the origin of the agitation against the system of agencies?—That is one of those mysterious things which I do not feel either disposed or competent to attempt to elucidate.

1689. It came entirely from outside the diplomatic service?—There may have been, as there are in all services, a certain number of grumblers, but I believe, and I know, in fact, that some of those who have grumbled are now loudest in deploring that they have to seek elsewhere the services which they have obtained from their agents; and on their behalf I do deplore it, because I am perfectly certain that if they are obliged to have recourse to private agents (I do not mean their bankers, who would receive their salaries as mere ordinary banking transactions) properly so called, our servants abroad will have to pay infinitely more in one way or other for the services which they obtain from those people, and those services will not be so efficient, and in one particular respect cannot be so efficient, for of course we could not allow an out-of-door agent to have continual access to the Foreign Office, and to be able to send abroad under official seal papers and letters, and so on, to this or that person; and therefore whatever money may be paid to a private agent, our consuls and our ministers will not receive through their

means the protection for their correspond-
. and will lose the convenience of having
-ionally small parcels forwarded to them
r official seal, which they now enjoy. It
be a great deprivation to them; they feel it
ely, and I feel it as severely for them as
do themselves.

690. Mr. *Butler-Johnstone.*] If that is the
taken by the Foreign Office of the agitation
at these agencies, why did the Foreign
e yield to an agitation which they thought
asonable?—The Foreign Office is a well-
ed office; we are obliged to submit. If a
nber gets up in the House of Commons, or if
blic newspaper says, "Here there is fraud,
here there is oppression," we cannot descend
the arena of the newspapers, neither can we
upon our colleague in the House of Commons
efend or explain all those minute points.

691. Why not?—Because they are matters of
il, and I am afraid that, however kindly dis-
ed the House of Commons may be to listen
he grievances of public servants, they would
er be disposed to pay close attention to such a
ter, and could not be expected to go into all
minute details of a question of the kind, which
s necessary to enter into, in order fully to
reciate it. We have submitted to that. We
not wish to go in the teeth of the House of
mmons or public opinion. We have yielded
that, and all that we now ask of the House of
mmons, and all that we now ask of the public
large is, that they should do justice to those per-
s who have been deprived of an emolument
ich they have enjoyed for a long period, and
en taught to look forward to as assured to them.

692. Then am I to understand that if there
s a newspaper article advocating the abolition
the Foreign Office, the Foreign Office would
once collapse without making any defence?—
at would be a public misfortune.

693. Is not the other?—No, the other you
y say is a private wrong, and there is consider-
le distinction between a public and a private
ong.

694. Mr. *Lowther.*] Was a man in the diplo-
tic profession obliged to have an agent or not?
Certainly not obliged.

695. Then supposing that all the gentlemen
the diplomatic profession declined to have
ents, the agents would by force of circum-
nces have been disestablished?—They would
ve collapsed.

696. Then would any compensation have been
en to them?—No compensation would have
en due then, because their collapsing would
ve been the result not of a force imposed upon
em, but of the voluntary withdrawal of the
nfidence of those by whom they were then
ployed. No compensation was due to an
ent because, on the change of an ambassador,
e new ambassador had another agent different
m that of his predecessor. The one agent
t by the change, and his successor gained
it.

697. Mr. *Rylands.*] I think that Mr. James Murray was formerly a Foreign Office agent?—Yes.

1698. When he was appointed assistant under secretary he gave up the agency?—Yes.

1699. Is there anything at all inconsistent in the assistant under secretary holding a Foreign Office agency?—I should say that an under secretary should not hold an agency; it never has been the practice. The institution of agencies always contemplated that clerks should hold them.

1700. Then I am right in supposing that it was a condition of the terms of a Foreign Office agency that the person fulfilling those duties should be a clerk in the Foreign Office?—Yes.

1701. Does it come within your knowledge that when Mr. Murray was appointed assistant under secretary he sent a circular round to his different connexions abroad?—I know nothing of what Mr. Murray may have done; all I know is that Mr. Murray told me the day he was appointed under secretary that he had renounced his agencies.

1702. Have you any knowledge as to whether he received compensation or payment for goodwill on transferring his Foreign Office agencies to Mr. Bidwell?—I know nothing of any such transactions.

1703. I presume that the fact of a Foreign Office agency being connected with the position of clerk in the Foreign Office would not prevent the Secretary of State from removing such clerk or pensioning him if his health gave way?—Certainly not; a person can only be an agent during the tenure of his office of clerk.

1704. In such a case would there be any claim for compensation?—Of course there would not be, for his emoluments and employment as agent would cease with his emoluments and employment as a clerk.

1705. It is at the option of the Foreign Secretary to withdraw him from his position on a pension?—Of course; I must guard myself by saying that an arbitrary dismissal is not to be contemplated.

1706. Even if he did arbitrarily dismiss him, he would not be called upon for compensation?—It is essential to the position of an agent in the Foreign Office that he should be a clerk in the Foreign Office, and if he ceased to be a clerk in the Foreign Office he would cease to be an agent.

1707. And not receive any compensation?—He would not have any claim to any compensation, because he would not have a claim to any other compensation if he retired as a clerk, than that provided by Act of Parliament as superannuation.

1708. Does Mr. Bidwell continue to perform his duties as clerk in the Foreign Office?—He does.

1709. What leave of absence has he had lately?—I cannot tell you that, but my colleague can; his usual leave, I presume.

1710. Is his health such as to permit him to attend here as a witness?—I conclude it is. I see him but seldom, because he is entirely on the other side of the office. Our rooms are 300 feet apart, and I am not often inclined to walk that distance in the office without absolute necessity.

1711. I understand that he is in a very much worse position for walking than you are?—He

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—He is attending to the duties of his office; but he is in Mr. Otway's division, and Mr. Otway can say better than I can what he is capable of doing.

1712. Mr. *Kinnaird.*] With regard to the answer given by you to Question 1434, do you happen to know at what rate the dollar has been depreciated, and have you heard what effect the depreciation in the value of gold in the United States is likely to have on the salary of our minister at Washington?—Mr. Thornton, who is our minister there, mentioned to me, in a private letter of the 8th of March of this year, that this would be the effect: "The paper currency has been steadily increasing in value. When I arrived here, gold was at about 150 in paper currency; it is now 112; so that, at this rate, my salary will be about 9,000 dollars less in paper currency than it was last year, and yet I do not find that at Washington the price of anything has gone down." Now I wish to be allowed to say to the Committee, that the position of our minister at Washington is peculiar. He is obliged, perhaps more than any other minister (I do not say ambassador), to open his house and his table liberally in order to receive the ministers, senators, and influential persons in the United States. It is expected of the British Minister that he should do so. In the United States, I believe that there is a great personal friendship and esteem for the British Minister, so to say in the abstract, and, I am sure most deservedly so, for the present occupant of that office. Mr. Thornton is therefore obliged, and will be obliged, to continue his hospitality on diminished means, unless it please this Committee to take into consideration not only that his salary, when gold was at 150, was wholly inadequate to maintain the expense which for the interest of the country he ought to incur, but that he is now much more deprived of the means of meeting that expense by the great depreciation in the value of gold. It is really a thing which is very well deserving the attention of any persons who look at the relations between this country and the United States, and who know how strong the real feeling in the United States is, as I believe, in favour of this country. There may be, as we all know, on the surface, storms, hard words, ill-natured language, but you may depend upon it that under those hard words, storms, and ill-natured language there is an under current of good feeling which tends to make the United States draw closer and closer to this country, and to feel in the prosperity and welfare of this country a kindred interest, for they know and feel that, in time to come, those of the Anglo-Saxon race may have to stand shoulder to shoulder in support of civilisation and progress; and it is greatly our interest, and it ought to be our pride and our desire, not to damp that good feeling by discouraging the disposition of the influential persons in the United States to look upon the British Minister as the representative of a kindred nation, and of a sovereign whom they justly respect and admire.

1713. Mr. *Otway.*] Those observations generally, with regard to expenditure, apply to the consul at New York also, do they not?—They apply to all our consuls in the United States. I only alluded then to the minister, because I expect hereafter that the Committee will permit me to plead before them the cause of our consuls generally, and of those in the United States in particular, who are impoverished and absolutely ruined by the great expense of living in those countries, and which is rendered still more impossible for them to meet by the alteration in the value of gold.

1714. *Chairman.*] They are not paid in paper they are paid in gold, are they not?—Yes; but while they could formerly get for their gold 150 paper dollars, they only now get 112.

1715. Assuming that prices vary immediately as the paper varies, that would be an advantage to them?—But the prices have not varied; the prices remain the same, but their power of purchasing has diminished.

1716. Assuming that that had been the case and that they got 150 dollars, as you say, the payment in gold would have been a rise of their salaries virtually?—Yes, but it would be what was only required to enable them to meet the expenditure which, without that increase, they would not have had the means of meeting.

1717. I understand you to say, that prices having been inflated, owing to the paper currency, now that the price of gold has gone down the prices have not depreciated correspondingly —Just so, the prices are the same, but the purchasing power is less.

1718. Mr. *Rylands.*] Taking the purchasing power of gold, you say the purchasing power of gold is less now than it was a few months ago?—Less now, as I read from Mr. Thornton's letter, by 38, namely, the difference between gold at 150, and gold at 112. That is a month ago; I daresay it is much less now.

1719. Mr. *Kinnaird.*] You said something in answer to Question 1552 about the house and garden at Paris; has the Foreign Office any reliable information as to what a house suitable for the British embassy could be obtained for at Paris?—In consequence of what passed in the Committee the other day, I have endeavoured to ascertain how that matter stood, and this is the result of my inquiry. It would be very seldom that a house like that of the British embassy could be hired at Paris at all, but supposing that one could be hired, the rent would not be less than 5,000 *l.* a year unfurnished, and to furnish it decently for Paris would cost not less than 20,000 *l.* To find a house from time to time suitable for an embassy would be next to impossible, and no ambassador could afford to set himself up properly in one unless he had a large private fortune. The only chance of obtaining a good hotel would be in the Faubourg St. Germain, and that would be a very inconvenient situation for British subjects. In the eyes of the French official and social world, the present embassy house contributes greatly to the support of the dignity and prestige of the embassy. There is at present a foreign embassy at Paris looking out for a house, but they have not yet been able to find anything that will do. They have obtained temporary accommodation, but they could not get on at all without a large private fortune. The British embassy house was purchased of the Princess Borghese in 1814 for about 20,000 *l.*, and the furniture and stables cost about 16,000 *l.* more, in all 36,000 *l.* The value of the house and land on which it stands was estimated in 1868 at 140,000 *l.*

1720. Mr. *Richard Shaw.*] I understand you to say that the Foreign Office have given notice

f their intention to abolish agencies in deference o the expressed wish of the House; when did he House express that wish?—It was not a vote f the House, but it was the general tenor of a iscussion which took place in the House. We re so much disposed to meet the wish of the Iouse in everything that we do not care to wait or a formal vote, but we endeavour to conform ur conduct to the sentiments of the House as e may gather them from the debates.

1721. Mr. *Eastwick.*] You have complaints om Tehran, I suppose, as to the loss which ur diplomatic officers have incurred there, owing o the difference in the rate of exchange?—I annot remember any specific complaint being ade. I saw some allusion the other day to the lteration of the rate of exchange; it was men- ioned incidentally, but I do not think it was ientioned in the form of a complaint; at least ot such a complaint as was officially brought efore us to take cognizance of or to decide pon.

1722. You are aware that the Russian Mission ere receive their salaries in gold?—I am not at ll aware how they are paid.

1723. Can you state if diplomatic or consular fficers enjoy any immunities as regards proceed- gs for debt?—The diplomatic officers do; the onsular officers do not in European countries; ut I daresay that in the East they do, though if it ere a question of strict right they have no rivilege that we could uphold, except in Tur- ey or in Persia. If immunity is extended to id enjoyed by the French or Russian consuls, e of course might claim it under the ordinary most favoured nation" clause; but the strict le among European countries is that a consular fficer has no privileges whatever unless by a pecial consular treaty, of which treaties we have ne, such privileges are secured to him.

1724. Would you consider it injurious to the ublic interest that any diplomatic or consular fficer should be constantly in debt?—I agree in e Minute of the Treasury, that a man in debt is ot a good public servant; his time is engrossed by is pecuniary embarrassments, and his mind dis- acted from those duties which he ought to be ble to perform irrespective of any private feel- gs or anxieties.

1725. But, may I ask, are any precautions ken against such cases arising?—I do not know hat precautions the Secretary of State or the oreign Office could take against a man's private xpenditure outrunning his means. We could nly take measures upon such a matter if com- laints were made to us, and the case brought fficially before us. Then it would be for the ecretary of State to judge how he would deal ith such cases. I cannot say how he would eal with them. I must wait, in the words of a urkish Minister, till the child is born and then I ill tell its sex.

1726. In case of a consular officer giving a ond with the consular seal on it for a private ebt, would you consider it incumbent on the oreign Office to enforce his paying it?—I ould rather not answer the question till I saw he case with all the circumstances before me. I ight give an opinion which might be construed o apply to another and different case, which pinion I might not have given if I had had the acts of that case before me.

1727. Mr. *Otway.*] With regard to the question asked by Mr. Eastwick, is it not very rare indeed that complaints are made of debt against men in the services?—Very rare indeed.

1728. Is it not the custom of the Secretary of State invariably, when a complaint of that nature does occur, to require an explanation immediately from the person complained of?—As a general rule we should send the complaint to the consul or any other officer; and we would leave it to his good taste and good feeling either to explain the matter to the Secretary of State, or if he was conscious of the debt to pay it. But if that milder course was not successful, I will not say that the Secretary of State might not and would not call upon the man for an explanation why he did not do that which it was his bounden duty to do if he continued a public servant.

1729. Mr. *Lowther.*] With regard to pensions, are there not sometimes disputes with the Foreign Office with regard to whether they are bound to pay them or not; a man making a claim for a pension, and the Foreign Office saying that he has not a claim?—If an application is made for a pension to the Foreign Office, of course the Foreign Office must judge whether that application is well founded, or whether a compliance with it would be consistent with the terms of the Act of Parliament applicable to the case. As regards diplomatic pensions, we have always been guided by the Act of Parliament of William 4. As regards consular persons, they come under the terms of the Superannuation Act. Formerly the Secretary of State was the judge of what diplomatic pension a man was entitled to receive consistently with the provisions of the Act of Parliament, and on having satisfied himself that a pension could properly be given under those conditions, the process would have been that he signified to the Lords of the Treasury the Queen's pleasure that such or such a pension should be granted to such or such a man. It was on his responsibility that the communication was made, and the amount of the diplomatic pension was not called in question by the Treasury, whose duty then was to submit a warrant for the Queen's signature, granting that pension. With regard to consular pensions, those are judged by the pension committee of the Treasury alone. The Secretary of State, when a man has fulfilled the conditions of age and length of service, or has been incapacitated by illness from continuing in the service, submits the case to the Treasury, with a statement according to the words of the Act of Parliament, that the man has served "with fidelity, &c."; and then the Treasury take the case into their consideration, and award to the applicant such an amount of pension as they may be empowered to do by Act of Parliament, or as they think within the provisions of the Act of Parliament ought to be awarded to him.

1730. Mr. Griffith, I think the consul at Bogota, applied for a pension, did he not?—And he received a pension.

1731. When did he apply for it?—I cannot exactly tell you the date; he applied for it when his term of service was completed.

1732. Did the Foreign Office refuse him then?—No, the Foreign Office recommended a pension to be granted to him.

1733. Did he get the pension in 1867?—In 1865; but I have no objection to say, that in

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regard to Mr. Griffith's pension, and the rate that should be assigned to him, a question arose between the Foreign Office and the Treasury, and that question was decided by the Treasury in favour of Mr. Griffith.

1734. Contrary to the opinion of the Foreign Office?—In a matter of that kind we submit to the decision of the Treasury. We are glad always, I am sure I myself am always glad, when the Treasury deal more liberally with a man when he is pensioned, than I might think could be done under the provisions of an Act of Parliament; I am no lawyer, and I do not profess to be competent to interpret an Act of Parliament correctly, and I should always be glad to see any opinion that I entertained on the matter, or that the Foreign Office entertained on the matter (when I am speaking of myself I mean the Foreign Office), over-ruled by the Treasury, if their decision was for the benefit of the person who applied for a pension. We never endeavour to diminish the rewards granted to a man for his service; we should much prefer to be able to increase them.

1735. But in the case of Mr. Griffith, the Foreign Office was over-ruled by the Treasury?—The Foreign Office and the Treasury took different views of the construction of the Acts of Parliament, on the case of Mr. Griffith that was laid before them. The Treasury, in matters of that kind, in regard to the Foreign Office, are omnipotent; if the Treasury say that a man shall have more or less than the Foreign Office would think him entitled to, we have only to submit to the will of the Treasury, and we have no room to make remonstrance. We should never assume and never wish to do it, to counteract the liberality of the Treasury; only we should so far guard ourselves, if the Treasury were more liberal than we felt that we could be, by holding that the act was that of the Treasury, and not the act of the Foreign Office.

1736. Viscount *Barrington.*] I believe that in all our large commercial firms copying machines are used; that is not the case in the diplomatic service?—No.

1737. Can you state what your objection is to the use of copying machines?—I have a very great personal objection to it, because I have suffered very much indeed from a copying machine being used in another office. The Board of Trade use one largely, and the papers come in so damp and wet that it almost gives you a cold to read them. I do not think that it answers at all. The Admiralty are now using it, to a certain extent, and in order to their employing it their papers come to us written upon what I believe is, in technical language, called flimsy. They are very unpleasant to read; they are only written on one side, and they are written very widely and take up a monstrous deal of space; and for an office like ourselves who are in the habit of binding our papers, those papers will either cost double or treble the sum for binding that papers written in the ordinary way would cost, because the papers being sent on half sheets must have a guard put to every half sheet, which is, of course, not only a laborious operation but an expensive one. And it has this further inconvenience, that it helps to swell the size of the volume. I know that it is one of the economical arrangements of the present day, but, like many other economical arrangements, it is one which to us would involve, I think, much greater expenditure in binding, and not be so satisfactory for the preservation of our archives as the present system of writing upon folio paper. As I said before, we are obliged to keep all the papers that come into our office. We find at times that we are obliged to go back years and years to get at the history of a case, and if our papers were not well and securely bound if they were lost or damaged, or destroyed, we might be very often seriously put to it in important negociations from adopting a system which I, for one, very much disapprove of. If that system had been adopted from the year 1780 and our American archives of that year had been written by that process, and bound as they might have been under that process, I doubt very much whether, in those controversies which went on during the American Civil War, we should have had such ready, such certain, or such secure reference to our archives of that date as we were constantly obliged to have.

1738. At the same time, I understand your chief objection to the copying machines to be that the paper now in use is very thin?—I would go further. I object to the system because, though we have not got it in the office, I am certain that it is not nearly so expeditious as that of copying papers. Considering the process of setting your machine, of putting your papers in order, and various other little manipulations which with a copying machine require to be attended to, I feel quite sure that a paper would get copied twice over by putting it in the hands of our well trained clerks.

1739. It seems rather strange that all our large firms should make use of it, if there are these difficulties in the way?—I cannot say what the mercantile firms may do, or how they may do it; I believe that most of our mercantile firms keep their correspondence in books, that is to say, they write their letters in books. Now, of all ruinous, mischievous things for a public office to embark in, the worst is a correspondence book; you enter a draft in a book, you want to get at that draft at some future time, you are obliged to move the whole of that book in order to exhibit one paper; and if (as in our case) the papers are not confined within the walls of the office, but must travel to the Secretary of State, to the Under Secretaries of State, to the Queen, and to the Prime Minister and to all the Cabinet, I am afraid that we should have some difficulty in transporting our books whenever we wanted to communicate to any one of those parties any despatch or letter not of a current date, but of some former date, which it is desirable they should be made acquainted with. We are obliged frequently, even as it is, to unbind our volumes in order that we may be relieved from the necessity of sending our large folio volumes in circulation among ourselves at our own houses; and, with all our care, that process is very destructive to the safe keeping of our correspondence. It is for that reason that we do not bind our papers till 24 or 36 months after they have come into the office; because we are constantly obliged to examine a mass of current Papers, in order to go through any particular case; it may be necessary for my colleague and myself to have before us a box or two of papers in order to determine a single point which may turn up on any given day.

1740. Then I understand that if you want

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fer to any particular despatch, and to have an despatch circulated amongst the Cabinet or ut to the Queen, you take it out of the book, nd do not have it simply copied?—It would de- end. If it were a short despatch we should opy it, if it were a mass of papers that were anted in a hurry we should have them taken ut. Of course it is a certain risk to the papers emoving them. We always return them to the brary immediately that they are done with, in rder that they may be replaced in the volumes; ut at the same time it is not a practice that I ke to see adopted, and if it were only a single aper or one of two sheets, I would have it copied the time would allow of its being done, or the lerks were sufficiently unoccupied to do it. But s a general rule we are obliged to be prepared o send out of the office papers of old standing, nd that we should never be able to do satisfac- orily if our letters were kept in a letter book. I vas asked by the American Secretary the specific uestion whether we had copying books, books of orrespondence, as I believe they have in the American Legations, and I explained to the gentleman who asked me the reason why we did not use them; that it was not only because of the nconvenience of having papers in a book, but because of the still more serious inconvenience of not having preserved the original drafts (which in most cases are for a time, and perhaps for years, preserved by us), in which corrections are made showing how the matter was worked. It happened to myself the other day that it was of importance to show how a certain letter had been altered. I could never have shown that to the satisfaction of another person, though I remembered the transaction, if the draft had been destroyed and the letter copied into another book. I sent for the draft, and there was the history of the transaction clearly made out by the corrections in the margin of the draft. It was an instance which only happened to me in the last few weeks; it was important to decide the point, and because we had the original draft and not a book to depend upon, it was possible to ascertain it.

1741. But at the same time all Cabinet Ministers, I believe, have their letters copied into a book, and do not find it inconvenient?—I cannot undertake to answer for the practice of another office. I only speak of the practice of my own. I do not know what they do with their papers. I believe in the Treasury they never bind their papers at all, or bind them rarely; but we in the Foreign Office must carry on our business for the purposes of that office in the manner which enables us to dispatch quickly and certainly any amount of business, and to make any amount of references that we may require to make.

1742. You think that the system does not answer upon a large scale, though it may answer on a small one?—It would not answer on a large scale, such as the scale of the Foreign Office. I believe that, taking the principal offices of the Government (I do not mean to include the War Office, where they have a great deal of detail), but those under the other Secretaries of State, our correspondence is perhaps the most voluminous; and I would say, that there is no correspondence kept better, and more easily to be referred to, than our own. At least I know this, as to my own practice, that if I cannot get a paper in a very few minutes I consider I have a just cause of complaint.

1743. Mr. *Arthur Russell.*] With regard to Return No. 7, you put in the other day, which gives the salaries paid by foreign Governments to their diplomatic agents, on what authority is that based?—It was abstracted from the returns which are in that book laid before the Committee the first day, entitled "Reports from Her Majesty's Representatives respecting the British and Foreign Diplomatic Services 1869-70." I had it abstracted from that for the convenience of the Committee

1744. Do you know anything about the extras allowed by foreign Governments to their diplomatic agents, under the name of *frais de représentation*?—No, I am not able to speak to that. I remember that, when looking through those returns, I observed that in the Italian service they adopted the plan of having a classification of their ministers, they receiving a certain rate of salary, according to their standing in the profession, and receiving a certain rate in the shape of *frais de représentation*, according to the place at which they resided.

1745. The salaries stated in that Return, No. 7, do not therefore comprise considerable allowances regularly granted?—They only comprise the salaries of the heads of missions, as stated in the return; they do not even extend to the secretaries. In that book containing the reports from Her Majesty's representatives, I believe in many cases, if not in all, you will find the salaries of the subordinate members of foreign missions, but I did not think that it was necessary to trouble the Committee with a detail of that kind, though I did think that it might be convenient to them to have the salaries of the heads of missions brought within a comparative table such as I have reduced them to.

1746. It is not a practice of foreign governments to make regular grants to the junior members of the legations for their living expenses?—I am unable to say what the practice of the foreign governments may be as to gratuities, beyond the fixed rate of salaries. I have heard that they do make grants, not only to the junior members, but to their heads of missions. That is a question obviously that we can never ask or expect to learn directly about. It would be rather invidious to ask a foreign minister or secretary, "Does your Government make you any extraordinary allowance?"

1747. The salaries entered on Return No. 7 do not by a considerable sum represent the sums granted to the heads of missions?—It represents them correctly according to the data which we have before us. I cannot say whether Ministers of foreign powers receive more than the sums set down to their names; they may or they may not do so. That is a question which I have no business to ask them to answer, and which I should think they would be very much offended with me if I did ask.

1748. Did I rightly understand you that there were no supernumeraries in our diplomatic service at present?—I believe that they all are appointed to some place or other.

1749. Do you mean by supernumeraries, attachés who have passed their examination?—No. We never have had supernumeraries. There may have been a chance person not placed. We have now two or three attachés in the office

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working out their six months. They are not supernumeraries; they will be immediately seized upon with avidity by some missions, which are already crying out for assistance, and which we are now unable to give them. But as to supernumeraries, in the proper sense of the word, we have not one. We have not more than enough to perform the duties required of them in our diplomatic service.

1750. Mr. *Cameron.*] I wish rather to press a question which I asked you in a former examination, and which it was perhaps hardly fair to expect you to give an immediate answer to without consideration, namely, whether you have any plan to suggest to the Committee to improve the position of the junior members of the diplomatic service?—I certainly have thought over the matter a great deal since I was before this Committee the first time, and I am ready to put before the Committee as my own, not as doing it by any authority, but merely as my own impression, a plan which, though it may not provide promotion for the junior members of our service, may certainly improve their position very considerably. I will put the plan in, it being distinctly understood that it is my own and not an official plan, not put in by authority of the Secretary of State. I will state generally what that plan is. It is this, that an attaché instead of waiting for an allowance till he has served four years, should at the end of two years receive a salary of 100 *l.*; at the end of four years he should as now receive his commission as third secretary, with a salary as now of 150 *l.* a year in the aggregate. When a third secretary had served for five years, I would give him 50 *l.* a year more, making the aggregate salary 200 *l.* a year as long as he remained thereafter a third secretary. I would give a second secretary, if he had served five years as such, an addition of 50 *l.* a year to his salary, and after he had served 10 years as such, I would make that 50 *l.* 100 *l.*, wholly irrespective of any other salary that he might be drawing at the time. I would give a secretary of legation after five years' service as a secretary of legation, 100 *l.* a year beyond his salary, irrespective of whatever salary he might be receiving; and then when he had served his 10 years he would come upon Mr. Canning's arrangement, and receive his 250 *l.* a year as he does now, until he was promoted to be a secretary of embassy. I would go still further (and this I really wish to press the Committee very much indeed to consider), and to any member of our service, secretary of embassy, secretary of legation, second and third secretary, or attaché, who at Petersburg, at Constantinople, at Tehran, at Athens, at Pekin, or at Yeddo, should obtain a colloquial knowledge of the country in which he was living, so that he might be able to converse with the people without the assistance of an interpreter for all ordinary purposes, I would give, so long as he remained in the country, irrespective of any other allowance that he might be drawing, a sum of 100 *l.* a year. I am afraid that the Committee, and perhaps the profession, will think that I have been very niggardly. I wish I could have offered more, but if we cannot give them promotion, we must try and improve their financial means. The boon is small, but it would be a boon; it would be something for them to look forward to, and the latter clause would, I think, be a most useful encouragement to diligence and attention on the part of the junior members of our service. I will put in a Paper on that subject.

1751. Your proposal points entirely to pecuniary advantages; you do not suggest any mode of increasing chances of promotion for the junior members of the service?—That I fear I cannot do; I do not see my way to do it. And besides (it may be unpopular to say so), I do not think that it is called for. I drew a comparison the other day between the proportion of junior members in the diplomatic service, to the missions to which they might aspire, and I found that the proportion is the same, or perhaps a fraction more in favour of the junior members now than it was in the years before those five missions were abolished; that whereas before those missions were abolished, the proportion of junior members to our ministers was about $2\frac{7}{8}$ to 1; it is now, I think, about $2\frac{3}{4}$ to 1. We had in 1861, before those missions were abolished, 81 or 82 junior members of our service, and we have now 61 or 62. We had, I believe, then 21 missions to which they could aspire; we have now only 16. But the proportion between 81 and 21, and 62 and 16, is very nearly what I tell you, namely, less in either case than three junior members to one mission. And therefore, however much I should be pleased to see promotion more rapid, I do not think that the present state of the diplomatic service constitutes, as regards promotion, a new grievance to the junior members of it.

1752. Am I to understand you to say distinctly, that you think the public service could not dispense with any of the second secretaries, or third secretaries who are now employed, and that it is distinctly your opinion that there are not too many second secretaries, or of any class of secretaries now in the service?—The public service could not be conducted with fewer than there are now.

1753. Mr. *Holms.*] On Thursday last you were asked a number of questions about Queen's messengers; I believe that the main object of those Queen's messengers is to carry important despatches as well as Blue Books and reports in exchange for those that we receive from foreign countries?—The main object of their being employed is to carry important despatches; the other is an accidental addition to the main object.

1754. Are those important despatches usually written in cipher?—No, not when they are sent in charge of the Queen's messenger.

1755. But when sending telegraphic messages you send them in cipher?—Yes.

1756. Would it not be practically possible and as safe as the present plan, to send the great bulk of our despatches in cipher by post?—No, certainly not as safe; what the ingenuity of one man can make, the ingenuity of another man can discover and unmake; a cipher which is much used is as easily read in a foreign post office as if it were written in words.

1757. The great bulk of despatches sent by Queen's messengers, I suppose, are not of a very important character?—We send by Queen's messengers whatever there may be to be sent. Of course it may not be all of the same important character; but it would be a bad economy if we were to send by a Queen's messenger a despatch consisting of a few lines or a few pages which should

ould not be sent otherwise, and did not avail urselves of that Queen's messenger to carry hatever unimportant despatches might be going. ut I should like to explain the business of the fice to you a little more fully.

1758. To interrupt you for a moment, the uestion is simply in regard to those despatches at we send out which are not of an important haracter, and I ask whether, supposing that we ad no messengers at all (if we have messengers ey may, of course, as well take them or anyhing else), those despatches which are not of an nportant character would not form the great ulk of the despatches usually sent by you?—I ave some difficulty in answering that question, ecause you interrupted me in the answer that was going to give you. Our despatches consist f two classes. One class, which perhaps you ay say is the most important, consists of the inructions of the Secretary of State to the amassador abroad. But there is another class of espatches which it frequently happens are much ore important than any instructions that the given essenger may have to carry, namely, copies of he correspondence which has been received in he Foreign Office of a secret and most confidential ature, and which we send to our missions acording to the practice of our diplomatic service, hich requires that all our Ministers and amassadors at the great courts should be perfectly nd completely informed of everything that is going on which is of interest in Europe and of nterest in the courts where they reside. We send by messengers, when we have messengers going, copies of such correspondence which we could not entrust to the post any more than the secret and confidential instructions which the ambassador receives. As I have said more than once, we send to Paris copies of every paper of the least importance that comes into the Foreign Office. The ambassador at Paris should be as well informed on public European matters as the Secretary of State in London. The despatches from Paris that may treat of things in Prussia, in Russia, in Constantinople, in Italy, or in Austria, are sent in copy to our representatives at those courts that they may be perfectly informed of, and able to deal with, any political questions that may arise, with full knowledge of the circumstances of the case. It was only the other day that one of our ambassadors wrote to me privately, and complained that he was not sufficiently supplied with copies of certain important papers on a certain subject. My excuse was that such papers had not been received at the Foreign Office; if they had been received they would have been sent to him. He thought that such despatches must have come in; it happened that no such despatches had been received. If they had they would have been sent; but if they had come in, such despatches could not have been entrusted to the mercy of the common post. As to our telegraphic despatches we put them into cipher, because we think that, at all events, they are not read by the telegraph clerk who passes them on. We think, too, that we perhaps get them more clearly transmitted in cipher than if they were in the English language, because we can generally, by the skill of our decipherers, work out a mistake which occurs in the transmission of a figure, and we cannot always do it in the transmission of a word. The ingenuity of man, however, will get the clue to any cipher if he has got enough of the cipher before him. I may mention on that subject that there was a letter which appeared in one of the Scotch papers the other day, which complained of the new telegraphic system of the Post Office in London, and held up the Post Office to blame as sending a confused and perplexed telegram which nobody could understand, and the editor pitied the person most deeply who received it. I saw that telegram in a newspaper one Sunday afternoon as I was sitting over the fire, and I looked at it. It was sent most perfectly by the telegraph. It was a transposition of words, and I read every word of it in about five minutes. And with regard to those ciphers, which are so much relied on for the transmission of messages in newspapers, I may mention that I often find great amusement in reading those ciphered messages which you see in the sensation column of the "Times." I once made out a whole love correspondence.

1759. But in the case of a country having the telegraph in their own hands and also having the postal system in their own hands, do not you think that in sending an open letter, which a telegram is, there would be quite as much risk as in sending a letter which is sealed through the post?—Happily in this country the post office is a safe and secure communication; but I cannot say of my own knowledge what it may be in the foreign countries. I do remember once having a letter brought to me which had been very cleverly opened, but very carelessly refastened in a foreign post office. I do know of that instance, because it happened to me personally a good number of years ago, with a private letter of my own; but it was very cleverly done; and I should not have discovered it, only they had forgotten to reseal it with a little gum.

1760. Mr. *Otway.*] It is a well ascertained fact in every Chancery that the seal is no defence at all against the opening of a letter, is it not?—I would not trust any letter of the slightest consequence to a foreign post office. I may belie them, and I hope I do, but my experience would induce me to shrink from sending anything that I did not care to be read on its road through a foreign post-office; and I dare say the foreign governments have the same opinion of the post-office in this country, but it is, I can assure them, wholly unfounded and unjust.

1761. Mr. *Holms.*] But you do not mean to say that you consider that a message sent by telegraph is more safe than a letter sent by the ordinary post-office; a ciphered letter sent through the post-office would be safer than a ciphered despatch sent by telegram?—It is not more safe, and not near so safe, because a decipherer might fail at constructing a cipher on two or three short telegrams, but give him two or three despatches, and he is but a poor decipherer if he does not make the cipher out of them.

1762. But if the letter is sent directly to any country, and you know very well that it is perfectly understood about what time that letter should be delivered, is there any sound reason why they should have time in the post-office to examine that letter without your having some suspicion that it has been examined?—Have you ever seen a foreign railroad post-office? I believe that they can open as many letters on their

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journey as they would in the post-office in the country; and besides that, they have time between the arrival of the mail and the delivery of the letters. I do not believe myself that they would open every letter. I presume that they open some letters as a matter of course, and some only accidentally; but with my name in the corner I should think my letters would have a very fair chance of being opened abroad.

1763. Mr. *Kinnaird.*] It is generally understood that there is a department in foreign post offices for the very purpose connected with the police?—There is supposed to be a department which goes by the general designation of the *bureau noir*.

1764. It is not at all an unusual thing, but it is one of the precautions of their system to open letters?—Of course I cannot say that of my own knowledge, but my impression is so strong on the subject, that I never send through a foreign post office a thing that I do not wish them to read. If it were a thing that I should wish them to read, and which I did not like to say otherwise, I would send it through the post office.

1765. Mr. *Holms.*] At page 8 of the reports from our Representatives Abroad, I see stated, in Lord Bloomfield's despatches, from Vienna, of the 29th of September last, that the Austrian Government employ six messengers, three at 70*l.* a year, and three at 52*l.* No doubt those men are more in the position of ordinary clerks, or porters, than anything else, but they seem to conduct their service well enough by that means. Would there be any objection to our employing a similar class of people in our service?—It is very difficult for me to draw a comparison between our wants and those of a foreign Government. All I can say is, speaking of my own service, that I should be sorry to see a different class of persons employed generally than are now employed. Of course it is impossible for me to be acquainted with the principles or system of a foreign Chancery. A matter like that might be stated in the paper, but there are many other circumstances which might throw a light upon it, and one circumstance, I suspect, is that those European countries have a long portion of their own territory to be traversed, and they do not require to send a messenger from the capital itself in the same manner as we do. We save the 100 miles between London and Calais for our Paris messenger; we send by the post office to Calais, where our messenger is waiting.

1766. You misapprehend a little the character of those messengers, because they are not confined to their own country, but they are often in other countries, and they have an additional allowance on that account. But I think, some time ago, in your evidence, you gave it as your opinion that it would be well always to have one class of persons engaged in our diplomatic service, and you also stated that other countries followed the principle of having men of a certain social standing. Now whilst in Austria they do that generally, they in this case employ people of an inferior order, and I want to know if there is anything against our employing the same class of people to do that messengers' work?—I cannot explain or justify any system employed in foreign countries. I have been told that one foreign Government has that respect for their despatches that they locked them round the person of the courier; that is to say, the small box in which the couriers' despatches were deposited, was fastened round his person, and he could only get rid of his burden at certain places or stations where the key of the fastening was kept. I cannot say that I know it of my own knowledge, but I have always understood that to be the case in one foreign service at least, and similar precautions may be taken in others. I cannot say whether they are.

1767. There are a few general questions that I would like to ask you. The first is one that I would particularly like to have your answer upon, namely, that when recommendations are made by Select Committees on the diplomatic and consular services, with whom do you consider it rests to carry out those recommendations?—I can only say, that the Secretary of State would, of course, pay all proper respect and consideration to any recommendation made by a Committee of the House of Commons, but of course I need not say that a Report of a Committee, however valuable, has not the force of law; it is not obligatory upon the Secretary of State. The Secretary of State must first judge whether, in the general interest of the public service, the Report of the Committee appears to him to be well advised, or otherwise. He must also judge whether the diminution of expense is just, in his estimation, as regards the individuals who might be affected by it. He must judge whether the House of Commons, or, in the first place, the Treasury, will sanction any increased expenditure which the Committee may recommend. And having all those points to consider, he will determine, to the best of his ability, upon the course to be pursued, and in full reliance that the Committee, even though their opinions may not have been accepted, will give him credit for good intentions, and for a just desire to do all that he can to carry them out, and will excuse what they may consider to be his shortcomings, looking to the many considerations by which he must be influenced in the decision that he comes to.

1768. Is there any permanent official in the Foreign Office whose duty it would be to draw the attention of the Secretary of State to the recommendations of such Committees?—There is no permanent official charged with that especial duty. The Secretary of State having the Report of the Committee before him, would probably consult his under secretaries, and they in their turn might consult the senior members of the office as to how that recommendation, if adopted, might work. But in regard to that, as in regard to many other matters within the province of the Foreign Office, we do not find it practicable or useful to lay down any definite or fixed rules. Our principle is from first to last that the public service is our sole consideration, and that the public service must be promoted howsoever and whensoever, and wheresoever it comes within our competence to advance it.

1769. Then the Secretary of State might in reality select any portion of the recommendations made by any Committee which he thought proper, and leave others?—I believe that the Secretary of State has always been recognised as having that power; and necessarily it should be vested in him. Recommendations of a Committee, valuable as they are, are only valuable so far as they go: they do not speak with the united voice

vice of Parliament imperatively to a Secretary of State. They rather, I should say, represent to the Secretary of State the opinion of a Committee as to what would be beneficial for the public service or for the public interest, and it is left to him, subject always to being questioned in Parliament for not carrying out any recommendation of the Committee, to determine which recommendation shall be carried out, which shall be modified, and which shall be put aside altogether; and of course any member of the Committee who may be dissatisfied with the judgment and action of the Secretary of State in a matter of that kind, might and would call the attention of Parliament to it, and require the Government and the Secretary of State to account for the omission to attend to the recommendation; and then the House of Commons would decide between the Secretary of State and the Committee on the point which had been raised between them.

1770. Some very valuable suggestions were made by the Select Committee of 1850 upon Official Salaries; amongst them they recommended that the Government should "propose to the Governments of France and Turkey to convert the embassies now maintained between those countries and England into missions, and that our diplomatic establishments at Paris and Constantinople be put on the footing of first class missions." Are you aware whether there was any notice at all taken of that recommendation by the Foreign Office at that time?—I was not Under Secretary at the time; but it would have been a very singular proposal (I say it with due deference to that Committee) to have made to a foreign Government, that they should regulate the rank and position of their public servants by a suggestion of a Committee of the House of Commons. All friendly Governments have an independent action of their own; they are responsible to their legislature and people for their action; they do not receive laws, and they are not required, as a matter of international courtesy, to receive suggestions from our Parliament; and therefore I think that, whatever the Secretary of State may have done (and I do not pretend to know what he did do), the Secretary of State for the time being would have exercised a sound discretion, in which exercise he would have received the concurrence and assent of Parliament, if the matter had been brought before it, in not submitting to a foreign Government a question which a foreign Government might have thought an offensive interference with its independent prerogative.

1771. Do you know who was the permanent Under Secretary at that time, and who might give us information on that subject?—Unfortunately, he has just died. Mr. Addington, who was the Under Secretary referred to, was a man whom many gentlemen on this Committee knew; his career had been marked with great devotedness to the public service; he had served from his very youth in different situations of great importance, and great trust abroad; and he had served with ability, and to his credit, and to the advantage of the country. He had served afterwards, for many years in the Foreign Office, and I have known him from my youth, and I am sure there is no member of this Committee who did know him, who will not agree with me when I say, that he was a most meritorious public servant, and one whose loss all those who are interested in public matters may regret, and all those who were private friends of his may deplore.

1772. The Select Committee on the Diplomatic Service of 1861 made a recommendation which probably you may know something about; they recommended that "The attachéships shall, for the future, be regarded as a probationary period of four years at the most, six months of which shall be spent in the duties of the Foreign Office." Now I understand that very frequent changes of our attachés entail a very considerable expenditure; this would seem to indicate that three and a half years was about the period that would give a fair trial of an attaché in any one place?—The six months' attendance in the Foreign Office was to give him an insight into the manner of conducting and carrying on business on a large scale. No better training is possible for a young man than to be in daily intercourse with our clerks, to assist in carrying on the business of the office, and to learn all its routine.

1773. I mean as regards the time that he would be occupied at a particular legation or mission to which he would be sent?—I am saying that we consider that six months is sufficient for him to acquire that knowledge in this office; but when he has passed that time, he then goes upon the recommendation, or ought to go upon the recommendation which I think was also made by that Committee, that there should be periodical changes; I am not sure that it was made in the Report of the Committee, but the question was canvassed and discussed a good deal whilst the Committee were sitting, and the opinion was that two years should be the time that a junior officer should remain at his post.

1774. It was stated in evidence on Thursday that it took two or three months for a man to get acclimatised in the place where he went; do you think that that is a long enough period to be at any particular post?—It is desirable that men should move about when they are young and unencumbered with a family to different places; they do it more cheaply, and perhaps diversified experience in younger life is more advantageous than in more advanced years; the mind is more impressible, less calculated to adapt itself to a mere regular routine, and has a greater tendency to expand in youth than it is in advanced manhood.

1775. There is another subject altogether to which I will pass, and that is as regards the Paper, No. 3; at page 5, there is a statement of the expenses connected with some special missions; will you tell us what that special mission was which is described as "Commission for Regulating the Navigation of the Danube"?—It was a Commission which of all valuable commissions that have ever been instituted by the Foreign Office is perhaps the most valuable. The Danube, I need not tell the Committee, in former times was a river difficult of access, dangerous to be navigated, and yet a most important outlet for the agricultural produce of some of the most productive countries in Europe. The efforts of that Commission have deepened the channel of that river; so that instead of its being an uncertain and fluctuating channel to the depth of perhaps nine feet of water, and one in which

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all vessels were obliged to unload into lighters, and which was so beset by wrecks that navigation was almost impossible, they have given us a clear channel of 18 or 19 feet depth of water, and we now run ships and steamers up that river, and we bring from it a large amount of grain which is very necessary for our market, and the transport of which employs a large amount of shipping; so that it is generally on those grounds conducive to a great extent to the well-being of our population at home.

1776. Are those duties of a permanent character?—Those duties will cease as soon as the works are completed. I believe that the works of what is called the European Commission, who are engaged in improving the Danube, will cease in 1871 or 1872; their time is limited by international engagement.

1777. Then that charge will finish?—Yes. Thereafter there will be what they call a River Commission, conducted by the river States, of which I need not say England is not one, who will have the charge of the Danube, of the tolls, and everything.

1778. Who is our commissioner?—Major Stokes of the Royal Engineers is our commissioner, and he has done his duty well, ably, and most efficiently, and he has secured the respect of all those who have had to do with him. Then, though he is not, strictly speaking, an officer of the Government, I wish to say that the Chief Engineer, Sir Charles Hartley, is a man of the greatest ability, and who has conducted those works in a manner creditable to the country and creditable to himself, and who, I hope (if the recommendation which I have ventured privately to make to the Hungarian Government is followed up), may be instrumental in opening the course of the Danube far above the Iron Gates, to the mercantile marine of our own country and of other countries.

1779. I wish to ask you a question in connection with this Paper put in by yourself, No. 7, and which Mr. Russell has already asked you about; it purports to give a comparison of the salaries of diplomatic agents in different countries, namely, in England, France, Russia, Austria, Prussia, and the United States; it is put in as a comparison of expenditure between the various countries as regards the salaries only?—"The Salaries of Diplomatic Agents in Europe and the United States: Heads of Mission," is the title of the paper. It was taken, as I explained just now, from the book containing the reports of Her Majesty's representatives abroad. I took it out in that form only in order that the members of the Committee might, without having to turn to the pages of the book, have an easy reference to it.

1780. But you will perceive that this is not a fair comparison, because in the case of England you do not include the house rents in those salaries (I will leave out the question of allowances altogether), whereas in the case of the United States they have the rent allowed only in London and Paris?—I am not aware that they have their rents either in London or in Paris; but however that may be, you must take the Paper for what it is worth; I gave the Paper for the convenience of the Committee, that they might not have to turn over the pages of that book to refer to the salaries of the heads of missions. As far as I recollect, the recommendation of the Committee of 1850 only went to the salaries of the heads of missions; and I have ventured to put before the Committee, in one view, what the different heads of missions receive as salaries.

1781. But the point is simply this: that this Paper is not a fair comparison at all in reality; we have, for instance, here the salary of the British Minister to the Netherlands given at 3,600*l.* a year, without any allowance whatever for rent included; then Russia is given at 3,015*l.*, Prussia at 2,100*l.*, and the United States at 1,540*l.*; all those are salaries which include house rent, and therefore do not give a fair comparison with the salary allowed to our Minister?—I have only taken what was set down in the book to which I have already referred; this Paper only gives what it professes to give, the salaries assigned to heads of missions. I only judge by the Returns made from the respective Governments what is the rate of salary given to each head of a mission. What that salary is intended to provide for is not stated in the Papers upon which this Paper of mine was framed. I cannot say what arrangements may be made by other countries, what foreign missions may have houses, and what Foreign Ministers may have assistance in the way of house rent from their Governments independent of their salaries. I do not profess, and the Return does not profess, to give more than the actual spending money assigned for their remuneration and the cost of maintaining their establishment. Whether they have a house or not I cannot say. In this list to which you are referring, the only cases in Europe in which our Ministers are lodged in houses the property in fee of the British Government are at Constantinople and Paris, in Europe, and at Tehran, in Persia. In all the rest they have house rent allowances besides. Whether the foreign missions have houses which are public property, or whether they receive any allowance as house rent from their Governments, I am not prepared to say; I took the Return merely as it was put in. That Paper is a Return of Salaries; I gave it as a comparison of one salary with another; I have nothing to say on the question, indeed I cannot say anything on it, whether there are any other emoluments derived from other sources enjoyed by foreign missions. The information on which that Paper is based does not enable me to say that, and I cannot go beyond the information that was before me in the books.

1782. This Return, No. 7, I find gives in the same way the diplomatic agents in South America of various countries; in our case the salaries are returned without the rent, and in the case of the United States and some other countries, with the rent; so that that partakes of the same character?—Except in the Argentine Republic and in Brazil there is no rent allowed by this country at any of the places in the South American missions.

1783. In this same Return, No. 7, at page 2, there is a Return given of the number of volumes of diplomatic correspondence bound during the 10 years from 1857 to 1867; do you give that as an indication of the amount of business transacted at the various missions?—Partly that, but I gave it rather as a matter of curiosity, which might be interesting to the Committee.

1784. Then

1784. Then it is of very little worth except as curiosity?—It certainly is a fair indication of the amount of business, but it must be taken *pleat quantum.*

1785. Mr. *Otway.*] But that Return of the mount of the despatches and papers really gives o proper indication of the business transacted the Foreign Office, because so much is done personal interview, is it not?—A great deal done in that way as well.

1786. Mr. *Holms.*] Is that Return to be taken all as an indication of the amount of business ansacted?—Certainly.

1787. I see that the number of volumes of espatches at Rome is given as 31, our represen-tative there has no secretary or attaché to assist im, and as he does not appear to grumble about his amount of work, I suppose we may take it or granted that he is able to do the work?—He oes the work well and efficiently, but I am not prepared to say what is the amount of pressure put upon him to do the work. Many people will do a great deal more work than others. Many people will do an amount of work that you could not expect others to do.

1788. Mr. *Eastwick.*] Does Mr. Odo Russell take leave of absence as others do?—Yes.

1789. What do you do in that case?—The place is vacant till he returns.

1790. Mr. *Rylands.*] Will you put in a statement of the absence on leave of heads of missions during the last 10 years?—I should have no objection to do so, only I think that it would be a very difficult one to make, because I should have to give explanations of what may have induced this or that man to take so much leave; that he had been ill or that he had not been wanted, and so on. All those things would have to be taken into account to make such a return of any value; but I will endeavour to supply one.

Thursday, 7th April 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. Rylands.
Mr. Arthur Russell.
Viscount Sandon.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDMUND HAMMOND, again called in; and further Examined.

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1791. Mr. *Holms.*] OWING to the great number of our countrymen who visit Rome, Mr. Odo Russell, I suppose, has a great deal to do by personal interview?—Mr. Odo Russell, though he is always very glad to see the gentlemen who come to him, has, strictly speaking, no official character at Rome. Mr. Severn, the consul, is the only official agent we have there. Mr. Odo Russell is a sort of unofficial agent.

1792. Has Mr. Odo Russell many personal interviews, do you know?—I cannot say; I have no knowledge.

1793. The last question I asked you, and which you answered on the last occasion, was with regard to the number of volumes of despatches sent from Rome between 1857 and 1867; comparing the result with the figures from the following stations, do you not think that it indicates that at all of them a reduction might safely be made in the staff: from the Argentine Republic, 46 volumes, and we have there a minister, two secretaries, and a clerk; from Brazil, 38 volumes, and we have there a minister, two secretaries, and an attaché; from Bavaria, 42 volumes, and we have there a minister, two secretaries, and an attaché; from Belgium, 47 volumes, and we have there a minister and three secretaries; from Denmark, 51 volumes, and we have there a minister, two secretaries, and a chaplain; from Greece, 65 volumes, and we have there a minister, three secretaries, a clerk, and a chaplain; from the Netherlands, 41 volumes, and we have there a minister and three secretaries; from Portugal, 52 volumes, and we have there a minister, two secretaries, an attaché, and a translator; from Saxony, 19 volumes, and we have there a chargé d'affaires, and a consul general; from Wurtemburg, 36 volumes, and we have there a minister and three secretaries; from Sweden, 33 volumes, and we have there a minister and three secretaries?—The answer is, that the number of volumes of correspondence do not represent the business that is carried on in the missions, for they only represent what is reduced to paper, and do not represent all that is done by personal application; and I have no doubt that in those two South American countries there is a great deal of personal and direct appli cation.

1794. In Paper Number 9, put in by you you will find it stated at the bottom of page that eight attachés have been appointed since th 1st of January, that "five of them were to fil up vacancies, and three to make up the numbe of junior members of the diplomatic service, ab solutely required for the work of the severa embassies and missions;" prior to that date, a you will find by the reports from our representa tives abroad, Mr. Elliot, Mr. Jerningham, an Mr. Thornton, each suggest reductions. Mr Thornton, writing from Washington, Septembe the 16th, 1869, says, that "According to the Esti mate inserted in the Foreign Office list, the sta of this legation should consist at this moment c one first secretary, two second, and three thir secretaries, six in all; as Her Majesty's Govern ment are desirous of enforcing economy, I thin that one of these might be dispensed with, leavin five;" and so on. Then Mr. Elliot, writing th 22nd September 1869, from Constantinople, state that "Since the cession of the Ionian Islands th work has greatly decreased, and I have no hesita tion in saying that the staff of the embassy migh be considerably reduced, without in any wa impairing its efficiency;" and Mr. Jerningham writing in England, states, "The present staff c Her Majesty's legation at Stockholm appears t me amply, if not more than, sufficient, consistin of a second and third secretary besides the secre tary of legation;" and yet here we find tha since the 1st of January these additions hav been made; can you explain that?—I explai it simply in this way, that the gentlemen wh made those reports made them under pressur being required to say exactly the minimum whic they could do with; and I am not aware tha they took into consideration the necessity of pro viding for absences on leave or ill-health. As I explained the other day, in answer to a questio put to me by Mr. Baring, though Sir Henr Elliot's estimate is plausible on the surface when you come to work it out it requires jus the same number of people as he now ha Though perhaps on the spot at one time only certai

rtain number are necessary, there must be pro-sion made for accidental vacancies. And I lieve that all our establishments are upon a wer scale than those of the French.

1795. Practically then you mean to say that r. Jerningham, Mr. Elliot, and Mr. Thornton ere not so well acquainted with the require-ents of their special missions as you were at ead-quarters?—I say that, practically, that is the se, because I know from experience that a de-ient number in a mission immediately or very ortly entails upon us a demand for additional sistance.

1796. I want to ask you one or two questions ith regard to fees. I see that we have a nsul at Paris who receives 100*l.* as salary, and 00*l.* as an allowance. Is he not virtually a ember of that mission?—When Mr. Pickford, ie late consul, died, an arrangement was made at Mr. Attlee should be archivist or registrar the embassy, and should also undertake the nall consular duties.

1797. He receives a large sum as fees, does e not?—The fees are all paid into the Trea-ry. I believe the fees amount to between 00*l.* and 600*l.* a year, and they are paid into ie Treasury. He does not receive any fees as member of the mission.

1798. There is also a large sum received in idicial fees at Constantinople. How are they ppropriated?—They are appropriated for the urrent expenditure of the establishment, as all he fees in the Levant have hitherto been appro-riated. They are now about to be brought nder the new system, and will be all paid into he Exchequer, and the current expenditure will o into the ordinary Estimate.

1799. I see that Sir Augustus Paget, writing rom Florence on 27th October 1869, in his eport to Lord Clarendon, at page 66 of the Reports, states that the staff has plenty of work. 'It must be remembered, that at the Florence Mission there is, in addition to the ordinary hancery work, a far greater amount of consular nd notarial business to be attended to, than at lmost any other mission, owing to the vast umber of British subjects residing in, or passing hrough, this capital." I presume that that work s not done for nothing?—It is done for nothing; here are no fees taken at any legation.

1800. In the Foreign Office list before us, I ee an explanation is made of the different de-artments at the Foreign Office. The Honour-ble Mr. Spring Rice is stated to be Superin-endent of the Commercial and Consular De-artment, and his duties are defined to be 'Correspondence with Ministers and consul (except China, Japan, and Siam), with repre-entatives of Foreign Powers in England, Board of Trade, &c., on commercial matters only." Are we to understand from that, that the re-maining senior clerks are only concerned with political affairs?—I hardly know what list you have got before you, but Mr. Spring Rice is now Assistant Under Secretary. There is a senior clerk in the consular department occupy-ing the place that Mr. Spring Rice occupied when Mr. Murray was Assistant Under Secre-tary.

1801. Does Mr. Woodford, who has the care of the correspondence from China, Japan, and Siam, conduct both the commercial and the poli-tical correspondence?—Yes.

1802. Does he communicate independently with the Board of Trade on commercial matters relating to those countries?—He does nothing independently. I execute every order of the Secretary of State, and everything that goes to the Board of Trade, as regards those countries, passes through my hands, and is signed by me.

1803. I see that Sir Henry Elliot, in answer to Question 1248, states, "The Foreign Office are in possession of all my opinions with regard to the reductions that might be made in the Eastern consulates." Could you furnish the Committee with a copy of that?—Perhaps you will allow me to defer the answer till the consular question comes before the Committee.

1804. I will only ask you now one broad ques-tion, can you give this Committee any sugges-tions for reducing the expenditure or increasing the efficiency of the Foreign Office, and the whole service for foreign affairs?—I could give the Committee many suggestions for increasing the expense, which would of course *pro tanto* in-crease the efficiency. I cannot give them any suggestions, because I have none to give, for re-ducing in any way the expenditure or reducing the numbers employed.

1805. Mr. *Rylands.*] I understand that you will be good enough to furnish the Committee with a statement of the absences of ministers from their posts for the last ten years?—It is being prepared, and I can put it in formally now if you like, or the chief clerk will put it in by and by. It is not quite finished.

1806. I notice among the Reports presented by ministers abroad that that of Mr. Jerning-ham, our minister at Stockholm, is dated in this country?—Yes.

1807. Is it not the fact that he is very fre-quently away from his mission?—I do not be-lieve that he is on leave more than his fair pro-portion of time.

1808. Viscount *Barrington.*] With regard to the Queen's foreign messengers, I wish to ask you whether you have ever thought of making any alteration in the present plan with regard to their journeys; I mean with regard to their having fixed stations, and bringing their despatches from one place to another, say from Vienna to Berlin, and from St. Petersburgh to Berlin, and then having a messenger from Berlin to Paris? —We tried that experiment some years ago, and found that it did not answer; we found it much better that a man should come on from those distant stations to England, much more convenient to the service generally. A fair trial was given to the experiment after Lord Malmesbury made a reduction in the mes-sengers, and it was found not to work satis-factorily.

1809. You do that now from Paris to Calais, do you not?—Yes.

1810. And from Washington to the port in the United States from which the mail-packet starts? —He is not a Queen's messenger, but a gentleman who has long been employed on that station. The rule is that as long as we can convey our despatches safely, without their going through a foreign post office, we do not very much care about their being in charge of messengers, and that applies to Paris and Calais; the messenger waits at Calais, and the same thing applies in New York. The despatches are carried by our own mail-packets, and they are always in our custody.

1811. But still it must cause a decided increase of

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of the expense if the journeys of all the messengers originate from London?—The expense saved by the other plan would really be very trifling; the allowance is, I think, about two guineas for the railroad fare to Calais; we should be obliged in that case to have all our messengers living at Calais, and I do not think that that would be very conducive to the discipline of the service.

1812. You are aware that that system that I have mentioned is carried on in Prussia?—I hardly know sufficiently how the foreign services conduct their business; and it is impossible almost to regulate the services of two different countries on the same plan exactly, and especially in the case of a country like ours. I explained the other day that a number of these foreign nations having long distances to travel through their own territory, where they can carry their despatches safely by their post, need only send a messenger from the frontier, but I really cannot fully explain it to you; I know that formerly (and I believe it is the case now) the French messenger always came to London.

1813. Will you inform us as to the privileges of exemption from import duties that are attached to our missions abroad?—Practically I believe that our heads of missions are exempt; legally, in some foreign countries, I believe they only have what they call the *première entrée*, and perhaps for six months or a year afterwards. We in this country are more liberal, and always allow exemption; but I believe that practically it is the case in most foreign countries also.

1814. *Chairman.*] Do the heads of the foreign missions here get foreign produce out of bond without paying duties?—Yes.

1815. Wine, for instance?—Yes; but I should say, in justice to the foreign missions, that a foreign minister going away and selling his wine, would give notice, so that the duties might be levied on the wine.

1816. But for his own consumption he has foreign produce free out of bond?—Yes; it is done in this way: the heads of the missions write to the Secretary of State requesting that a Treasury Order may be given for the free passage through the Custom House of such-and-such articles; we always require the head of the mission to sign his own name, to prevent any abuse. After all, except when they first come and bring in their furniture and such things, their applications are really very trifling; sometimes a cask of wine, sometimes a chest of tea, sometimes 1,000 cigars.

1817. Viscount *Barrington.*] Some of our own foreign ambassadors are put on an allowance, are they not, as to what may be imported?—I believe that in some countries there is some sort of allowance, but that practically they do not very much insist upon it. I cannot exactly tell you how that is.

1818. Could we not apply to those Governments to put our foreign ambassadors on the same footing as ambassadors are put on in this country?—I think that it would be rather an act of discourtesy to any of them to put them on a different footing from their fellows. I do not think that it would be worth while to do it, and besides that, on the principle of the most favoured nation, they would enjoy in the country the same privileges that any representative of any foreign country might enjoy.

1819. I suppose it is really a privilege accorded to the chief, and he does not allow his subordinates to get goods through him?—Of course it is impossible that I can ask such a question of a foreign minister. I can only take the chief's word that they are for the use of his family.

1820. *Chairman.*] Is it limited to the chief?—It is nominally limited to the chief. The chief says they are "destined for the use of my establishment." I frankly say that I would not be disposed to look very closely into that matter. The thing is very trifling. Very few of the subordinates keep house. A secretary of embassy or legation may do so, but when he is chargé d'affaires he would have a right, as the head of the mission, to bring in what he may wish.

1821. Viscount *Barrington.*] In the case of America, where there is reciprocity, our ministers get supplies in that way, do they not?—I am sorry that you have said that, because it may lead the Americans to think whether they should not restrict that advantage.

1822. *Chairman.*] You said that the experiment of Queen's messengers coming to the frontier merely had been tried and failed; how came it to fail?—I forget exactly; it is a good number of years since, and I can hardly explain it, but we found that it did not answer.

1823. For what posts did you try it?—Your question, practically, only applies to the northern messengers, and it is a combination now, as I endeavoured to explain to you the other day, in which two messengers are employed on the service. One messenger, for instance, who went last night, will go on through Berlin to Vienna. The messenger who went yesterday week went on through Berlin to Petersburgh, and he will come home on Monday next, bringing the Petersburgh and Berlin despatches. Next week the Vienna man will bring the Vienna and Berlin despatches.

1824. Then Berlin has two messengers to one for Vienna and St. Petersburgh?—Necessarily, because both their routes lie through Berlin, and there is no reason why the messenger going through it should not carry despatches to and from Berlin.

1825. Are the regular messengers for the Queen's foreign service confined to Paris, St. Petersburgh, Berlin, and Vienna?—And one to Constantinople, and one to Italy; those are the regular services.

1826. What about Madrid?—There is no regular messenger to Madrid.

1827. But occasionally one is sent to Madrid?—Yes, and he goes to his journey's end, and comes back to his journey's end.

1828. What is the ordinary communication; is it by post?—By post, and very unsatisfactory it is.

1829. And to Portugal, is it the same?—Either by post or by a packet; we have maritime communication with Portugal.

1830. In the case of Washington, the despatch goes to New York by the mail-packet, and then the messenger meets it?—Not a Queen's messenger, but a person who has been in our employ a long time. I believe he runs down from Washington with the despatches for the outgoing mail, and waits to receive the incoming despatches. In the time of the civil war we were obliged to have a second messenger, and we sent a Queen's messenger.

1831. Viscount *Barrington.*] Is that messenger paid in the same way?—No; I think he is paid

aid by a fixed salary and some allowance. Mr. Alston will be able to explain that point.

1832. There are 15 Queen's messengers now?—There are 15 now, and we shall reduce them s soon as we can. But I omitted to say the ther day, that when, in consequence of Lord Malmesbury's arrangement, we reduced them o 15, we found after a little experience that t was utterly impossible to go on with that umber. As that question has been raised, I hould rather like to let the Committee see what Lord Russell wrote when he asked for an increase of the messenger establishment. It answers ome other questions which have been incidentally alluded to. It gives the reasons why the elegram communication has not superseded the se of messengers. Before he wrote that letter ve were very hard-pressed indeed, and we constantly did not know where to turn for messengers. Of course it is a fluctuating service.

1833. *Chairman.*] The recommendation by Lord Russell was to increase the number from 15 to 17?—It put before the Treasury that the service could not be performed by the number of 15, to which Lord Malmesbury had reduced the staff. We were obliged, as is stated in that letter, to get occasional assistance from people whom we knew well; but frequently we have been obliged to have perhaps three or four of our home service messengers doing foreign service duty, very much to our inconvenience.

1834. Was Lord Russell's recommendation that the number should be increased to 17 followed at that time?—Yes.

1835. And you have reduced it again?—Yes, in consequence of the reduction of our journeys.

1836. The demand for service by foreign service messengers must be a very varying demand, I presume?—Very varying indeed. If any particular disturbance were going on in Europe we might have to send off a messenger perhaps daily. You cannot get a person on whom you can rely at a moment's notice. At the time just before that letter was written, I used to be continually interrupted by the chief clerk coming to ask, "What am I to do for a messenger? I do not know where to turn for one." Messengers, like other people, are liable to sickness, and a man perhaps having had a severe journey may fall ill. We have had four or five Queen's messengers ill at a time.

1837. Viscount *Barrington.*] It is hardly possible for you to do with a smaller staff of messengers than now?—We mean to try to do with 12, just, as I say, in order to meet the pressure upon us for economy; but I feel certain myself, that if any trouble were to occur in Europe we should not only have to pay the messengers whom we had reduced, their pensions, but to re-create the original number, and should therefore have pensioners and active servants going on at the same time; and that upon the whole is not economy.

1838. *Chairman.*] I was going to ask you upon what system of retirement are these messengers; are they upon the Civil Service superannuation?—Upon superannuation; they are retired now upon the basis of 525 *l.* a year as the estimate of their salary and allowances. In former times they used to make a very large sum. They had very heavy mileages, 3 *d.* or 6 *d.* or even 1 *s.* mileages, and when they retired their superannuation was calculated as 400 *l.*; that is to say, it was calculated upon that; but now the basis of the calculation is 525 *l.*, because they do not make those emoluments, or anything like them, that they did in former times.

1839. I see that Lord Russell alludes to the employment of home service messengers in consequence of the deficiency in Foreign Office messengers; are those home service messengers persons of the same class and position as the Foreign Office messengers?—No.

1840. Had you any complaint to make at that time of want of confidence or of unreliability in the home service messengers in the performance of that duty?—No; no doubt the home service messengers would perform, and do perform, their duty as honestly and faithfully abroad as they do in England. Our home messengers are people of the most trustworthy description. They have in their possession day after day the despatches in circulation to the Cabinet.

1841. They are of the class of gentlemen's servants, are they not?—Yes. Before 1825 messengers were indiscriminately taken from that class. In 1825 Mr. Canning, the Secretary of State for the time being, decided upon separating the two classes of messengers and taking the foreign service messengers from a higher class of people than the others, because they required higher qualifications. We require a foreign service messenger to be acquainted with foreign languages and accustomed to travelling abroad. A home service messenger might get on very well for one or two journeys, but in times of difficulty I should certainly much prefer a man of the class of our foreign service messengers for duty abroad to one of our home service messengers.

1842. Take the ordinary service between Paris and London; would not a man of the position of the home service messengers, who could talk French colloquially, be perfectly efficient for the performance of that duty?—I prefer the rotation of messengers abroad.

1843. For the ordinary service to Paris, would not a messenger of the class of home service messengers be perfectly trustworthy?—But the messenger to Paris may, on an emergency, be sent on to Constantinople or to anywhere else. If a messenger going through is taken ill at Paris, the messenger on duty there is sent on with his despatches. I do not think that any real advantage would be obtained by a change such as you suggest, and I think that we should at times be very much inconvenienced by it.

1844. At the same time you are not prepared to say that any inconvenience arose from the employment of the home service messengers at the period when Lord Russell wrote this letter?—Simply because they only went on an occasional journey, and they were not regularly employed. If we could find nobody else to go, we sent a home service messenger, because we could rely upon him. At the same time, I do not mean to say that it was a satisfactory course to pursue. I would rather not have done it, but we were driven to it.

1845. Viscount *Barrington.*] What is the difference in the pay?—As between 200 *l.* and 400 *l.* a year; and the home service messenger would receive 15 *s.* or 16 *s.* a day when he is abroad, while the foreign service messenger receives 20 *s.*

1846. *Chairman.*] Do I rightly understand that, up to the time when Mr. Canning made the change of introducing the two classes, the ordinary

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ordinary business was carried on by men of the same class as the home service messengers?—In former times, all the messengers belonged to the Lord Chamberlain's Office, and the origin of the badge which they wear, a silver greyhound, was the fact that it was the badge of a Lord Chamberlain. It was known, and would be known all over the Continent, in times of trouble, as a sure pass for a Queen's messenger. It was certainly a great improvement, I think, which Mr. Canning made when the classes were separated.

1847. Mr. *Richard Shaw.*] The superannuation is on the basis of 525*l.*?—It is so many 60ths of 525*l.* a year.

1848. You seem to anticipate that, in the case of emergency, you might find inconvenience from want of these messengers?—Yes.

1849. Could you not, if they were on pensions, call them into service again in case of emergency?—It depends whether they retire from infirmity or age.

1850. But you anticipate, as I understand you, reducing the number from 15 to 12. Supposing that you did that, would you not, in cases of emergency, be in a position to call on these gentlemen who had retired for service again?—You would employ them as we did in former times, as extra messengers. If they retired at 60 years of age, you could not call upon them again.

1851. But I am speaking of the three that you contemplate reducing?—The three senior messengers are getting on in years now.

1852. Would you, or would you not, in cases of emergency, be entitled to call them into service?—I do not say that we should be entitled to do it; we should be very glad if they would take a journey, and assist us, as they did in former times; but I think that when a messenger is regularly pensioned off, you do not put him on a redundant list, and the Government is not entitled to call him into service again.

1853. Would you not look upon them as a reserve?—No; if we pensioned a man we should not require him to dwell at hand.

1854. You have no doubt that they would be willing to undertake the service in cases of emergency?—I have no doubt that anybody who had been in the Government service would be most happy to assist the Government in any emergency; and one of them did assist us, in fact, very much in those difficulties which I referred to just now.

1855. And in cases of emergency you would be able to call upon the home service messengers as you have done in the past?—Yes, but it is a very great hardship upon us to be obliged to call upon our home messengers; our home messengers have very severe work indeed. Only yesterday I had a man on the run from one o'clock at noon till 12 at night; what he did for food I cannot tell.

1856. Viscount *Barrington.*] Do many retire voluntarily before they arrive at the age for receiving pensions?—Of the two men who have now retired, one has certainly retired voluntarily; the other was broken down in health, and he was glad to retire.

1857. *Chairman.*] How many home service messengers are there?—Eight.

1858. Mr. *Cameron.*] Allusion was made just now to the slavery department in the Foreign Office; could you inform me of the number of clerks employed in that department?—There is a senior clerk, and there are three others.

1859. Has the work which falls upon that particular department become much less of late years than it used to be formerly?—Very much less, but what work there is is of a heavy kind. But at the present moment I believe my colleague contemplates taking one of those clerks off, and throwing him into the commercial department, which is heavily worked. We could not by any possibility do with less than a senior clerk and two clerks in the slave trade division. We have got a fourth clerk now, and I believe that he will be transferred shortly to another department, where assistance is wanted.

1860. But the department itself must exist as separate department?—Yes.

1861. It could not be absorbed in any other department?—In no other department, at present; I do not mean to say that it may not be so eventually. We hope that it may eventually be absorbed if the slave trade is abolished to a greater extent than now, but there is a great deal of slave trade going on now in the Eastern seas; and besides that, the slave trade department has inherited from times of slavery a superintendence over all our interests on the West Coast of Africa; and, happily, a lucrative trade has taken the place, in a great degree, of slavery; but the trade being carried on in wild places, and among wild people, there is a great deal of trouble in the management of the questions which arise in connection with it.

1862. Does the subject of coolie emigration come under that department?—No, it is to the French colonies and foreign colonies; it would come under the consular department, because the British consul in the foreign colonies is superintendent of the interests of the coolies.

1863. In fact, the work is not diminished to such an extent as to justify your making more than a very slight reduction in that department?—I certainly conceive that to be the case.

1864. Mr. *Frederick Stanley.*] With regard to the Foreign Office messengers, did you continue to send them to Vienna by the same route as usual during the war of 1866, or were they allowed to make any deviation from the route which they had taken before?—We were obliged in that war to establish a messenger direct to Vienna; we could not send him through Prussia, we were obliged to send him through France to Carlsruhe, Stuttgardt, Munich, and Vienna; that was the route which he was obliged to take in order to avoid the armies.

1865. But sometimes your messenger had to pass through countries which you might almost have called in a state of war?—Unquestionably if war was raging in a country, that would be the case.

1866. Do you think that messengers of the class of home service messengers would have been as able to make their way through those countries as people who had rather better knowledge of the world, and were more conversant with languages?—I should certainly say not.

1867. And you consider it of great importance, I presume, particularly at such a time, that despatches should be sent out in the most direct manner and with the least delay?—Yes.

1868. Mr. *Frederick Walpole.*] I believe that the Foreign Office messengers pass an examination before they are admitted?—Yes.

1869. In what languages are they examined?—The

The regulation is, "That they have such a nowledge of either French, German, or Italian, will enable them to make themselves under-ood in regard to such matters as concern their ities on the road, those duties being to convey e despatches entrusted to them safely and ex-ditiously by whatever means they may have easion to travel."

1870. It is only in one continental language at they are examined?—Yes.

1871. Is every despatch sent over land by a oreign Office messenger?—No, only special es.

1872. Mr. *Eastwick.*] I wish to ask you a estion with reference to some questions that ere put to you on the 4th of April, with regard the debts of diplomatic officers; I wish to ask hether it is not the fact that Lord Clarendon as applied to the Shah of Persia, through our linister at Tehran, to have certain debts, nounting to 3,000*l.*, which have been incurred the Shah's representative and chargés d'affaires this country, paid?—The ground of that appli-ation was, that the Persian Minister in this ountry had not received his salary regularly from he Persian Government. I do not mean to say hat if a minister was to leave the country very uch in debt we should not privately inti-ate to his government that such was the case, nd leave it to them to decide what they would o in the matter. This was a very peculiar case. his Persian chargé d'affaires was in the country ithout the means of paying his bills, and yet it as necessary for him to keep up his position and o subsist himself, which he could not, without ncurring debt, do unless the necessary means ere granted him.

1873. I wish to ask whether it is not the fact hat, in consequence of that application, a sum mounting to about 1,000*l.* has been paid?—ertainly some money has been paid, and some oney we are still applying for.

1874. Is it not the fact that our consul at esht, in Persia, left a debt exceeding 800*l.*, hich was vouched for by a bond bearing the onsular seal, owing to a certain Mirza Jaffar?—he consul did leave debts of that kind, but those re quite different from the debts to which you ave just been alluding. They were not incurred rom the omission of the Government to pay that onsul the salary that was his due.

1875. Is it not the fact that Lord Clarendon as declined to take any action in the matter of hat debt?—He has declined; but it is not a debt hich Government could be asked to pay, and he gentleman who incurred that debt is no longer our service.

1876. Sir *Charles Wentworth Dilke.*] With gard to the despatches from our consul general t Warsaw, in what way are they sent to Peters-urgh or Berlin?—I believe that our consul gene-al at Warsaw generally has the facility afforded im of sending his despatches to Berlin by the rench messenger who goes periodically to erlin, and then he would send to Berlin a copy f any despatches that he had occasion to send to t. Petersburgh, to be taken on from there.

1877. You mean that there is a French essenger who goes between Berlin and War-aw?—Yes.

1878. You stated to me on a former occasion hat the consul general at Warsaw performed olitical functions of considerable importance?—es.

1879. His despatches are of great importance at times, probably?—Yes.

1880. And yet you trust those despatches to the messenger of another government?—We are obliged to do it because we want to save expense. If we were in very critical times we should do as we did in former times, make an arrangement to have a temporary messenger to pass between Berlin and Warsaw. We put an end to that in consequence of the expense which it involved, and we can manage at present to do without it. I do not mean to say that there are not occasions even now when I should be very glad if our consul at Warsaw had an opportunity of sending despatches by one of our own messengers; but there is not the same objection to employing the messenger of a foreign power when he only goes between a foreign capital, not his own, and the station from which he is despatched, as there would be to employing a messenger of a foreign power going to his own capital.

1881. Mr. *Kinnaird.*] You mutually assist one another, I suppose?—Yes. Whenever we are sending an extra messenger to any place, if I think of it I always send a note to the minister of that state in this country, and say to him that he can take advantage of the opportunity for sending any despatches if he wishes to do so.

1882. And there is a considerable saving of expense by this mutual assistance, I suppose?—A considerable saving of expense; and it is a little courtesy which it is very desirable to show on all occasions.

1883. Sir *Charles Wentworth Dilke.*] Then the French messenger is not paid for carrying our despatches?—We do not pay him.

1884. Did our consul general at Warsaw remain there in 1863, while Warsaw was in the hands of the Revolutionary Government?—I have no doubt that he would remain there, but I do not remember the fact.

1885. I was going to ask whether you had any recollection as to whether, during that very important time, he still sent despatches in that way by the French messenger to Berlin?—No; at that time, I think (I am speaking from recollection) that arrangement which I spoke of, of having an extra person of our own plying between Berlin and Warsaw was in force; I think most probably that was the case. At all events, the consul general was there; and I have no doubt that sufficient measures were taken, whatever they may have been (which I cannot remember now), for the security of his despatches, and of his periodical reports to the Government.

1886. Mr. *Richard Shaw.*] Have you, within recent years, experienced any difficulty in filling up any vacancies either of ambassadors or heads of missions?—The only answer that I can give to that is that the embassies and the missions have been filled up. Whether the Secretary of State, within whose judgment the filling up of those missions rests, was in any difficulty on the subject, I am unable to say.

1887. But you know no instance of a vacancy existing for any length of time?—A vacancy may have existed for some length of time, but there may have been circumstances which I cannot remember, which rendered it desirable that the post should remain vacant; if it did remain vacant, the Treasury had the benefit of it, for the salary attaching to it was not drawn.

1888. Have you found any difficulty in filling up vacancies which have arisen either in the

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secretaryships or under secretaryships of legations, or in attachéships?—I am not aware that any difficulties have arisen in that respect; of course, having an establishment, there can be no difficulty, since you have a fund to draw upon, and, as I mentioned the other day, there are at least about 20 candidates for attachéships on the Secretary of State's list.

1889. Mr. *William Henry Gladstone.*] I see by this Return, No. 6, that there is a very great disparity between the salaries paid to our ministers at Munich and at Stuttgardt; can you explain it in any way?—I apprehend that Munich is a much larger and more expensive court.

1890. The business is much the same, I suppose, in the two cases?—Bavaria is considered the greatest of the South German kingdoms.

1891. But there is a very great disparity between the salaries; our minister at Stuttgardt receiving 2,000*l.*, while the minister at Munich receives 3,600*l.*?—Munich is the more important place of the two.

1892. You said, did you not, that the post to Madrid was very unsatisfactory?—The idea that I meant to convey was, that I think the correspondence with Madrid is of that nature that it would be very desirable that we should have a periodical messenger to Madrid. The post goes regularly, and goes quickly, but at the same time it does not go securely, because it goes through two countries.

1893. That is the reason why it is unsatisfactory?—Yes.

1894. Have you read any part of the evidence of Sir Henry Elliot?—No.

1895. Are you aware of the suggestion that he made with regard to a second examination, and making it a stricter one, with the view of diminishing the number who would enter the diplomatic profession?—I should think that the second examination is as severe an examination now as could be justly imposed upon the men. I think that an attaché's examinations, and that of a third secretary, are both very severe examinations, and if you were to make them more severe, of course the consequence would be that the whole interval between the first examination and the second examination must be given up, not to the public service, but to the studies of the man, in order to qualify himself for the second examination.

1896. Sir Henry Elliot suggested that the second examination should be sudden, so as to do away with cramming; what is your view on that point?—I may be excused for saying, that as to many questions which seem easy of solution at the moment, when you come to work them out in detail you find insuperable difficulties, and we in the Foreign Office have to work out all those questions, and we must look at things practically, and not theoretically, as, perhaps, others do.

1897. I think his great reason was, that he felt so seriously the stagnation in the service, that he was anxious to hit upon some remedy or other; I do not think that you look upon it in quite as serious a light as he does?—I do not look upon the stagnation in the same light as he does, because, in the first place, I contend that there is no stagnation; and, in the next place, I think that we should be obliged to have just the same number of gentlemen, whether you put them under the harrow of a very severe examination, severer than they have now, or let them go in under what I believe is considered a very severe test for them now; because, after all, you must just remember that a man's education does not cease, or ought not to cease, when he is 23 or 24; he must go on educating himself for ever.

1898. *Chairman.*] Have you anything further that you wish to say?—I wish to thank the Committee for the attention and kindness which they have shown me in listening to what I have said. I have been here endeavouring to explain the proceedings and to uphold the interests of the diplomatic service and the office which I serve. We have been misinterpreted and misunderstood; we have been decried and vilified in a manner and to an extent that I venture to say no other public office in this or any other country has ever been decried and vilified. We did not doubt, however, that sooner or later an opportunity would be afforded to us of justifying our conduct and defending our character before the only tribunal to which public officers when assailed can properly appeal; and we felt assured that an impartial Committee of the House of Commons would do us that justice which in our conscience we believe and know that we deserve, and which on behalf of the two services, I claim with confidence from the Committee.

Mr. Francis Beilby Alston, called in; and Examined.

1899. *Chairman.*] You are Chief Clerk of the Foreign Office, I believe?—I am.

1900. And as such you have the general charge of the arrangements of the establishment?—My duties are of a very miscellaneous character and comprise almost every point of detail.

1901. As chief clerk you overlook the establishments generally, do you not?—I should rather say that I assist the under secretaries in so doing.

1902. Mr. *Rylands.*] In regard to the extraordinary expenditure of which Mr. Hammond has given us a Return, 11*a*, the extraordinary disbursements are of a very miscellaneous character, and I presume come entirely under your notice as chief clerk?—They are examined by me or under my directions.

1903. I made some inquiry of Mr. Hammond as to the mode that was adopted for checking these extraordinary expenses, and I should like to ask you what steps are taken by you in order to satisfy yourself that this expenditure is correct and justifiable?—On the arrival of an account it is subjected to a detailed examination with a view to ascertain that the expenditure is properly vouched for. As a matter of course every voucher is examined, and every charge is required to be supported by a voucher. Every charge must also have its proper "authority," that is to say, if the charge be of an ordinary and recurring character it would be passed under what may be termed continuous sanction, but any charge of a novel character, or which was not covered by the regulations, would require to be expressly sanctioned by the Secretary of State, and if we are not satisfied that any charge

has received proper sanction, we at once query it, and require the minister who may have rendered the account to produce the "authority," or if he has not got one to apply for one.

1904. Have you any means of checking the accounts which did not exist in the year 1865?—I have established a form of query called a query paper, which was not in use before I became chief clerk, and one or two other forms which assist us very much in the examination of the accounts. With those exceptions, I am not aware that there is any material difference in the course now pursued.

1905. But you are able to say, that you now give a more accurate attention to the examination of the accounts than existed in the time of your predecessor?—I may perhaps say that I have devised and established forms by means of which I can with greater facility test and check the accounts, but I do not say that I examine them more accurately than my predecessor did.

1906. My reason for asking you that question is, that your predecessor, Mr. Conyngham, gave evidence before the Public Accounts Committee of 1865, and his evidence leaves the impression that there was no sufficient check for a very large portion of the expenditure?—I do not recollect his evidence.

1907. Mr. Conyngham is asked these questions: "Do you question the accounts sent in by the ministers abroad?—Yes, very much. In the end it comes to your passing the accounts?—We get rid of the difficulties somehow. Then the check is the possibility of your grumbling at the accounts they render, not any chance of their being disallowed?—No, I do not think that there is ever any sum disallowed, because a man says, 'I know that I spent this money'; my bankers' book shows that. I drew a check for this money when I was there. I could not get receipts for every penny." Is there anything in the present system which would modify that?—All I would say upon that is, that I do not think that Mr. Conyngham quite did himself justice in giving that evidence. I intended to have brought with me, thinking I might be asked for it, a form of letter which Mr. Conyngham made use of as often as a charge was disallowed, and the existence of such a form establishes the fact that disallowances were made in his time. The difference between us may be said to be that Mr. Conyngham made use of one form of letter, and I make use of another.

1908. At Mr. Conyngham's death, was there not a careful examination in reference to his accounts in connection with the Foreign Office?—When I became chief clerk, I took over the accounts, and I naturally made it my business to ascertain in what state those accounts were.

1909. Did you not find the accounts in considerable confusion?—No; on the contrary.

1910. There is no justification for the belief that the accounts were in confusion, and that there was a deficiency which had to be made up?—There is no justification whatever for such a statement; it is the reverse of the case absolutely.

1911. In taking the accounts of the disbursements as put in by you, I find that two or three items have only made their appearance very recently; in 1865–6 for the first time there is an item, "Lighting and Warming Diplomatic Residences, 1,246 *l.* 3 *s.* 11 *d.*"?—Yes.

1912. I wish to ask you how it is that the charge for "Lighting and Warming" appears for the first time in 1865–6?—The charge existed in the accounts since the year 1853, I believe; but before the year 1865–6, it was charged under the head of "Miscellaneous Expenses." In that year it was transferred to "Lighting and Warming" as a separate sub-head.

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1913. Then in reference to consular establishments at Paris and Moscow, I see that there is a charge commencing in 1865–6; how is that accounted for?—So long as the late consul, Mr. Pickford, lived, he drew a consular salary of 100 *l.* a year, and was allowed to appropriate the fees to his own use. On his death, Mr. Atlee, who was the librarian and registrar of the embassy, was appointed to succeed him, with the rank of consul. He was to draw the salary as before, but the fees were from that time forth to be credited to the public. The fees were accordingly received on Government account, but instead of being actually paid into the Exchequer, in the manner in which we now deal with them, they were applied from 1865 to 1868 in diminution of the issues on account of the extraordinaries. It was consequently necessary to charge the expenditure of the Paris consulate during those years to the extraordinaries, but, as I have said, the issues on account of the extraordinaries were diminished to the amount of the fees.

1914. And now in future the course will be that the charges of this character in connection with the consular establishments at Paris and Moscow will be included in the extraordinaries, and on the other hand the fees received by the consuls will be brought to the credit of that account?—The consulate at Moscow is now altogether an unpaid establishment. There was a certain allowance made to the consul for office expenses, which was charged in the St. Petersburgh extraordinaries. It was not a charge which should properly have been inserted in the extraordinaries, because consular expenditure should appear as a charge in the Consular Vote; but the Secretary of State not only decided that that allowance should no longer be charged to the extraordinaries, but that the circumstances of the case did not justify the continuance of any allowance to the Moscow consul; that charge, therefore, is at an end. At Paris the consul's salary is now charged to the Consular Vote, and the fees received by him are remitted at the end of each quarter to me as chief clerk, and I pay them, together with other consular fees, into the Exchequer, and they appear in the account as extra receipts.

1915. And will be shown in the Return of Consular Fees?—Undoubtedly.

1916. With regard to law charges, I observe that "Law Charges" are included in this Return; I presume that those are law charges which are incurred by ministers abroad, in advice that they take abroad, and not law charges that are incurred here?—They are incurred abroad, and they consist of two sorts of charges, those which are fixed and permanent, being in the nature of retaining fees, and those which are paid from time to time for legal advice and assistance actually rendered. At Lisbon, for instance, we pay a retaining salary to a lawyer who is confidential law adviser to the legation, and a small fee is also paid to another officer who acts as solicitor to the consulate. The honourable

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Member is no doubt aware that in former years there was what was called a British Conservatorial Court in Portugal. That court was abolished in 1842, at the instance of the Portuguese government, but it was stipulated by the British Government that the court should be re-established at any time that circumstances might require it, and it was therefore thought very desirable to retain the services of these two officers as having been members of it. Moreover there were, and I have no doubt still are, many questions with the Portuguese Government requiring an intimate knowledge of Portuguese law, which render it necessary that the minister should have ready means of obtaining legal advice. At Washington there is also a counsellor or lawyer permanently retained, on account of the legation, and this arrangement enables the minister, from time to time, when questions of a legal character arise, to consult the legal adviser of the legation, whose retaining fee is drawn in the shape of salary once a quarter.

1917. Can you inform us what is the amount of the retaining fees paid to the legal officers at Lisbon?—I have a Table here which I had prepared in anticipation of the questions that the honourable Member might ask me; it commences with the year 1848 and ends with 1867-8. I find in the year 1848-9, the sum inserted as law charges at Lisbon was 63*l.* 12*s.* 2*d.*; the next year it was 65 *l.* 2*s.* 2*d.*; and so it runs on, 65*l.*, 64*l.*, 63*l.*; and, speaking from recollection, I should say that two-thirds of that sum goes to the one, and one-third to the other of the gentlemen I have named.

1918. Then the amount of salaries at Lisbon and Washington only form a small proportion of the total amount of law charges; I suppose that they are exceptional cases; you have not similar retaining fees in other missions abroad, have you?—I do not at this moment recollect any other mission where there are permanent legal advisers; but the charge for legal assistance is one which appears from time to time in the extraordinaries. At St. Petersburgh, I find that in the year 1857-8 there was a charge of 4*l.* 12*s.* 9*d.*; in the year 1863-4 there was a charge of 35*l.* 12*s.* 4*d*; those are the only charges at St. Petersburgh, and they represent work done.

1919. Does it not occur to you that there can be no circumstance in Lisbon that would justify a retaining fee of a legal agent, that does not exist as strongly in other missions abroad?—It is many years since I was in the Portuguese Department, but I remember that 20 years ago we were constantly having occasion, or rather the minister was constantly having occasion, to take legal advice. The questions at issue in Portugal were of a very complicated character at that time, and, for all I know to the contrary, that may be the case now.

1920. I think I might ask you whether it is not the case that many of the commercial questions, which in those days did occur, are, in fact, now at an end as regards Lisbon?—I am not in a position, as chief clerk, to answer that question, but, as a matter of private opinion I should say that such questions would arise from time to time.

1921. At Lisbon, more than at other missions abroad?—I can only say, speaking from the experience of some years back, that the two gentlemen I have alluded to were of the greatest possible service to us, and my impression is, that the records of the Foreign Office would establish most conclusively that this was so.

1922. Will your records show you whether the services at the present time are such as justifies a salary, in place of paying a fee for work actually done?—I can only repeat that my impression is, that the records of the Foreign Office would clearly and conclusively establish the propriety of those payments. Within the last few months I made it my business to examine into that very point; I looked myself through the papers, and I was satisfied from the examination which I made that good grounds were shown for the payment of those retaining fees.

1923. I suppose, in addition to the law charges put down here as paid abroad, a very large sum is paid at home in law charges, arising out of advice taken by the Foreign Office in connection with the diplomatic department?—Undoubtedly.

1924. Can you inform the Committee from whom the Foreign Office obtain advice when they require legal advice?—If it were a matter of international law, we should consult the Queen's Advocate. If it were a question which also involved points of English law, or if it were a question of grave international importance, the probability would be that we should consult all three law officers, namely the Attorney and Solicitor General, and the Queen's Advocate, who would then give us a joint report. It is a thing of almost every day occurrence.

1925. You send in the papers to the law advisers in the bulk, I presume?—Yes.

1926. And you have no one in your establishment to prepare the case for the law advisers, have you?—No. As a general rule we do not like leading our law officers, but prefer leaving them to form their own opinion upon the papers.

1927. You send the papers to them?—Yes, we send the papers and ask the law officers for their opinion upon them.

1928. Can you inform us what the annual charge is for the advice of the law officers?—No, I cannot; it is not a matter which comes within the knowledge of the Foreign Office.

1929. Does anybody know?—I suppose the law officers themselves, and of course the Treasury, could inform you.

1930. Does it appear on the Estimates anywhere?—I cannot answer the question. It is not a matter that comes before us in any way.

1931. Then you cannot assist us at all to any idea of the cost of the legal advice obtained by the Foreign Office; and you cannot tell us where to find what the cost is?—No, I am sorry I cannot.

1932. You have no solicitor in the Foreign Office?—No.

1933. This is continually occurring; you are continually applying to the law officers?—Yes, constantly.

1934. Mr. *Baring.*] Do you know whether the law officers of the Crown themselves employ a solicitor in these cases?—I have no knowledge on that point; but I should say, judging from the experience which I gained when in charge of the American Department during the time of the Civil War, that I believe that Sir Roundell Palmer wrote most of the reports himself; indeed I am sure he did. I have been astonished to find how much the law officers have worked

at

t our cases themselves, when it might have been upposed that they would have handed them over) a junior, and this has been so even when it as not been a matter of importance.

1935. Mr. *Rylands.*] In the Supplementary Estimates laid before Parliament this year, there - an item in connection with Venezuela; it is an ccount paid to Mrs. Mary Ackers Cage, "Settlement in full of her claim against Her Majesty's Government on account of the maladministration f the estate of her late father, Mr. W. Ackers f Venezuela, 3,404 *l.* 17 *s.*;" has that ever come nder your own notice?—No, it has not come nder my notice. I imagine the case was settled nd dealt with by the Treasury. I have no oubt that the Foreign Office was consulted, but t did not come before me in any way.

1936. Was this mal-administration through he consul of Venezuela?—I know nothing offiially on the subject. I may have heard somehing about the case, but it has not come officially efore me.

1937. But you check consular accounts?—I heck consular accounts; but I should observe hat the chief clerk did not check them at the ime in question, and, moreover, I was not chief lerk at that time.

1938. You could tell us, perhaps, who was the onsul that was mixed up in this Venezuelan busiess; it is a large amount?—The gentleman who vas mixed up with the case was Mr. Bingham.

1939. "The Honourable Richard Camden Bingham," is that the gentleman?—Yes.

1940. The Honourable Mr. Bingham seems to ave had a considerable career, commencing at Naples in 1818, and being made "chargé l'affaires and consul general in the Republic of Venezuela, the 23rd November 1852, which post e held till 31st August 1858, when he retired, nd a pension was granted to him by Treasury Minutes dated 26th October 1858, and 1st Janury 1861;" cannot we get information from somebody as to the circumstances under which this naladministration occurred by this pensioner of he Crown?—I really do not know the details of he case.

1941. Mr. *Eastwick.*] Is it not the fact that Mr. Stacey is now in this country?—He has returned to his post.

1942. Mr. Stacey was there at the time when his happened, was he not?—He was in Venezuela. I do not know exactly what the point vas, neither do I know that Mr. Stacey had anything to do with it.

1943. *Chairman.*] Who has the charge of the Venezuelan Department?—Mr. Gifford is the gentleman at the head of the political division which comprises Venezuela; but my impression s that you would get the information better rom the Treasury.

1944. If there is anybody in the Foreign Office who could give information upon the subject, it is Mr. Gifford?—Yes, I should say so.

1945. Mr. *Rylands.*] But it is the fact that the consular expenditure proper is checked by you?—Since the Exchequer Audit Act came into operation the whole accounts of the consular and diplomatic services come to me, and I examine and check them all; but the chief clerk had nothing whatever to do with consular expenditure previously to the 1st of April 1868.

1946. Who has to do with the arrangement as to the pensions to be granted to any diplomatic or consular officers?—The consular pensions are dealt with entirely in the consular department; diplomatic pensions are dealt with in the chief clerk's department. The course pursued was, I think, stated the other day by Mr. Hammond. A minister who wishes to retire upon his pension makes application to the Secretary of State; his case is then referred to the chief clerk, who reports as to his qualification for a pension under the Act 2 & 3 Will. 4, c. 116, or the Act of last Session. It is the duty of the chief clerk to submit to the Secretary of State a statement of the services of the minister, of the length of time which has elapsed since he obtained his commission, and of the various points required to show that he has complied with the conditions of the Act; the chief clerk sends that report through the Under Secretary of State to the Secretary of State, and the Secretary of State then decides upon the course which he will pursue.

1947. In the case of a consular pension it would go through a similar course, I suppose?—The consular pension is not strictly speaking a pension, it is a superannuation or retired allowance.

1948. Then, in the case of a diplomatic pension, there is an option, that is to say, if a person has been guilty of any maladministration, there is the option on the part of the Government to refuse the pension; and it would be, I presume, the duty of the chief clerk to direct the attention of the Secretary of State to any such proceedings?—I do not recollect any case having occurred of any minister who had been guilty of maladministration, and therefore I cannot speak as to that. But I should say that if a minister applied for a pension, and he had been guilty of maladministration, that would very much interfere with his obtaining the pension.

1949. You would suppose that, according to the custom of the office, the application of Mr. Bingham for a pension would go through the chief clerk, and be reported upon by him?—No, that would not be so, because Mr. Bingham has not been retired on a pension but on a superannuation allowance.

1950. He was chargé d'affaires?—Yes; but at the time Mr. Bingham retired, if not at the time when Mr. Griffith, about whom Mr. Lowther asked some questions the other day, retired, all our diplomatic agents in South America were consuls general and chargé d'affaires, instead of being, as they now are, chargé d'affaires and consuls general; and the principal portion of Mr. Bingham's salary was charged to the Consular Vote.

1951. Mr. *Frederick Walpole.*] I suppose the report that you make is merely a formal report as to service?—Yes.

1952. The report of the chief clerk as to pensions is limited to that?—Yes, absolutely.

1953. Mr. *Rylands.*] I am not now asking you about Mr. Bingham, but on the general question?—I should only report upon the claims of the minister to a diplomatic pension, specifying the number of years' service, the date at which he obtained his commission, and so on.

1954. The chief clerk would not go into any matters beyond that in reporting to the Secretary of State?—I do not think that it would be any part of his duty to do so; it would be for those in a position superior to the chief clerk to do that.

1955. The retiring superannuation allowance

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is a matter of right in the consular service, I suppose?—Provided that the applicants have reached 60 years of age or are disqualified by ill health.

1956. In reference to pensions, you have alluded to the Act under which diplomatic pensions were formerly paid; of course you are quite aware that that has been altered by the Act of last Session?—It has.

1957. And that the Act of last Session for the first time introduced into the Diplomatic Pensions Act the position of consul general and chargé d'affaires?—It did so.

1958. Under the old Diplomatic Act, the service of consul general was not in any way recognised as being a diplomatic service?—It was a doubtful question at best.

1959. And, in fact, under the old Act, I see that no diplomatic pension was allowed to be granted until the expiration of 15 years from the date of the first commission?—Yes.

1960. That commission having reference, according to that Act, to the diplomatic service, and not the consular service?—Yes.

1961. But, in point of fact, you did grant pensions, dating the first commission from the time when a gentleman first had a consul generalship?—We did so under the advice of the law officers.

1962. And that has been cured by the Act of last year?—Yes.

1963. Mr. Hammond read to us the other day the receipts for the repayment of the outfit money of Mr. Lowther and of Mr. Forbes; can you explain how it was that, while in Mr. Lowther's case it was 1,100*l.*, in Mr. Forbes's case it was only 800*l.*?—The difference of outfit is explained in this way. Mr. Lowther was appointed to Buenos Ayres, whereas Mr. Forbes was appointed to Rio Janeiro. Moreover, Mr. Lowther's was his first appointment as minister, and consequently he drew full outfit; whereas Mr. Forbes's was a second appointment as minister, and accordingly he drew the reduced or half-outfit.

1964. I observe, in the Estimate for Consular Services, a vote of 10,500*l.* for chaplains and chapels, but the particulars are not given. I suppose you are in possession of full particulars of the items of this large sum of 10,500*l.* for chaplains and chapels?—The expenditure is on account of British consular church establishments abroad, in pursuance of the Act 6 Geo. 4, c. 87, which provides that where a certain number of British residents abroad have formed themselves into a church community, and have subscribed a certain sum of money, it shall be competent for the Secretary of State to supplement those subscriptions by a contribution on the part of Government not exceeding the sum subscribed by the residents.

1965. Could you furnish a list of the items of this expenditure for the last year on consular chapels and chaplains?—Yes, I will do it for the year 1868–9.

1966. The Consular Act to which you refer, of the 6 Geo. 4, c. 87, provides that there shall be these chaplains and chapels in places where there are consuls?—Yes.

1967. And any locality where there may be British residents, if there is no consul, cannot have the benefit of this Act?—I take it that it requires the presence of a consul or a consular officer.

1968. And before the congregation can obtain a grant from the Government under this Act, they must raise a certain sum of money themselves?—They must do so.

1269. The effect is to limit the operation of this Act to places where there are a certain number of persons of means who are able to maintain or assist in maintaining a chaplain and chapel; is it ever matter of consideration on the part of the Foreign Office whether in some of these places the people are not wealthy enough to pay for their own religious services, without the assistance of the Government?—The question has undoubtedly been considered by the Foreign Office. The Foreign Office entertains a very strong opinion upon that subject, and has from time to time expressed that opinion; and I believe I am right in stating that contributions have, from time to time, been discontinued in certain quarters, on the ground that the principal object and intention of the Act, so far as we are informed, and so far as we can deduce it, was to enable the services of the Church of England, or the Church of Scotland, to be performed at ports and places where there was a large British trade, and to which a British seafaring population was attracted by that trade. I have myself no doubt that that was the origin and intention of the clause in that Act, and that it was not intended that churches should be maintained at inland cities, whither travellers might resort for purposes of pleasure, or with the view of residing permanently abroad. The object of the Act was to afford the means of a Church service to our merchants and sailors at ports abroad.

1970. The object of the Act was to supply religious instrumentality for people at these various ports, provided people wanted to have that religious instrumentality in an authorised form?—Yes.

1971. The Established Church of England and the Established Church of Scotland being recognised as the two authorised forms, and the people of other religious denominations having no power under this Act of getting any assistance in their religious worship?—I believe that to be so, but I am not aware whether the question was ever distinctly raised.

1972. In some cases, I think, you will be aware that there are Scotch chaplains as well as English chaplains?—There are.

1973. Can you, from recollection, state where that is the case?—There is a Scotch church at Buenos Ayres and at Alexandria.

1974. And at Paris, according to a memorandum which I have here; bnt that can hardly be the fact?—I rather think there is one there.

1975. Mr. *Frederick Walpole.*] Then any chaplain or chapel supported by Government, except in a seaport town, is rather an undue extension of the primary meaning of that Act?—I so consider it. The origin of it was this, that the Act of 6 Geo. 4, c. 87, abolished several British factories. There was a British factory at Lisbon and also one at Rio Janeiro; these were dissolved about the same time that the Levant Company was abolished, but these factories maintained British churches abroad; and it was no doubt thought that, as the Government was taking upon itself the duties hitherto devolving upon these factories and appropriating the moneys which had hitherto been levied by them, it was only right that some substitute should be provided in their place. That was the origin, I have very

ery little doubt, of that clause in the Act in uestion. Advantage has been taken of that ause to apply for Government assistance from me to time in various places, until the expendi- re under that head charged to the Consular ote alone is upwards of 10,000*l.* a year.

1976. Mr. *Kinnaird.*] The Secretary of State, believe, always makes, I may say, minute in- iries before the grant is made to anyone apply- g for it?—The Secretary of State, before thorising a grant, requires that the Church counts shall be carefully examined, with a view ascertain that the conditions of the Act have en complied with, and he also satisfies himself at the amount stated to be subscribed has been ally and truly subscribed.

1977. With regard to the Act applying only places with consuls, are there not many ports Spain, for instance, where you can only have rvice in the consular house, and is not that e reason of making the services consular?—es, I believe that is so. It is only of late ars that the Spanish Government have allowed ything in the shape of service in Spain, ac- rding to the Anglican rites.

1978. Mr. *Frederick Walpole.*] The Govern- ent never refuse the grant when a certain sum made up by the inhabitants, do they?—It a question whether we can. I should be dis- sed to say that the Secretary of State refuses when he has got fair ground for doing so.

1979. Mr. *Rylands.*] The feeling of the oreign Office is rather against encouraging it?—The Foreign Office would check the tendency increassd expenditure in this direction if it as in their power to do so.

1980. But, practically, parties abroad come efore the Foreign Office, having fulfilled the nditions of this Act of Geo. 4, and the Foreign ffice are in a measure bound to meet those nditions?—It is very difficult to draw distinc- ons, and say, "We will give it to you who ave complied with the conditions of the Act, ut we will not give it to others who have qually complied with those conditions."

1981. The fact is, that at Alexandria, Buenos yres, and Paris, under this Consular Act, there e maintained out of the funds provided, chap- ins connected with the English Church, and so with the Scotch Church?—It is certainly so Buenos Ayres and at Alexandria, and also at aris, I think.

1982. There being a consul at Paris, Paris eing an inland place, still had the power under is Act of having a chaplain. The chaplain hom the honourable Member abolished last ession, was the embassy chaplain?—Yes, that as so.

1983. But the fact is, that except in the case the English Church and the Scotch Church would be impossible for any number of persons nnected with any religious denomination to ail themselves of this Act for the establish- ent of consular places of worship?—I appre- end that the Act provides only for the two tablished churches, the United Church of Eng- nd and Ireland, and the Established Church Scotland.

1984. There is one chaplain entered in the onsular Estimates: it is the chaplain at Smyrna, d he is put down with a salary of 300*l.* a year, d a personal allowance of 100*l.* a year. I am raid that you will hardly be able to tell us why is chaplain is put down and no other chaplain?—I can. The Smyrna consulate was, in former days, at the charge of the Levant Company, and the house at Smyrna, which is a large house, was a legacy to us from that company. The Levant Company, on its dissolution in 1825, it being considered undesirable that the company should continue any longer as a distinct corporation, among other properties handed over, I believe, the sum of 60,000*l.* in Consols or other Government stock to the Treasury, and there was an understanding, if not a stipulation, on the part of the Levant Company, that the establishments which they had maintained in the East should be kept up by the British Government. One of those establishments, as I have said, was the consulate at Smyrna, with a chaplaincy attached to it, and as the Government pocketed the 60,000*l.* it has been felt right to continue to pay the salary of the chaplain at Smyrna, and to charge it to the Consular Vote. I should explain that the additional allowance of 100*l.* a year, assigned to the chaplain for house rent, originated in this way: the chaplain at Smyrna had a house assigned to him; it was a part of the buildings formerly belonging to the Levant Company. When, in 1861 (I think it was), a branch of the Supreme Court at Constantinople was established at Smyrna; it was thought that the chaplain's house would be very well suited for the purposes of a court. The chaplain was very loth to give up his house; but he was told it was required for Government purposes, and as compensation for the loss of his house, an allowance of 100*l.* a year was assigned to him. Mr. Lewis, the then chaplain, resigned early in 1869, and his successor, Mr. Hanson, who was appointed some time last year, has not had that allowance for house rent continued to him, which is, in his eyes, a very great grievance.

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1985. It now stands at 300*l.* a year?—Yes.

1986. With regard to chaplains at embassies and legations, can you give any reason why the chaplains should be maintained at the various legations which did not apply to Paris, any justification for maintaining a chaplain in connection with the legation at Vienna, for instance?—I should be able to answer the question better if I had been the party to abolish the chaplain at Paris.

1987. Then you are not prepared to say that these legations occupy a different position from the legation in Paris?—I apprehend that the idea is that the possession of a chapel is inherent to the dignity and status of an embassy; or, at all events it is supposed to contribute to it. That is, I believe, the idea, quite apart from the usefulness which the chapel may in other respects be supposed to possess.

1988. Mr. *Eastwick.*] Do you make any payment for any chaplain or chapel at Tehran?—I am not sure.

1989. It is a fact that there are a great number of British officers and their families now in Persia?—Officers connected with the telegraph.

1990. They have no means, and they never had any means whatever of any religious service. Persons who die there are buried, and persons who are married there are married without any religious service except that performed by the consul?—The marriages would be performed within the legation, and therefore would be valid marriages, but I cannot answer the question as to what opportunities of religious service they may have.

1991. You

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1991. You are not aware that we are the only nation that affords no religious service whatever to its mission at Tehran?—I am not aware of the fact.

1992. *Chairman.*] I see in the Foreign Office list, amongst those who retired in 1869, "The Rev. John Charles Cox, chaplain at Paris, post abolished." Has the chaplaincy at Paris been abolished?—It was abolished in accordance with the decision of the House of Commons.

1993. Mr. *Kinnaird.*] But are you not aware that there is a chapel in the Rue d'Aguesseau?—That is so.

1994. And that there is a clergyman of the Church of England who officiates several times on the Sunday there; and are you not aware that the embassy have a gallery at their disposal in that chapel whenever they want to use it?—I did not intend or presume to question the decision of the House of Commons; what I meant to convey was, that the Foreign Office, in abolishing the chaplain, had merely been carrying out that decision.

1995. Mr. *Rylands.*] I wanted to see in connection with our legations abroad, what ground there was for our being called upon to provide chaplains; and I take your answer to be, that on general grounds you are in favour of having a chaplain connected with the embassies and legations, because you think that the existence of a chaplain there gives a certain character and support to them?—I should say chaplains have generally been attachéd to embassies.

1996. I see from the list of salaries that the salaries paid to the chaplains at several of these legations are very moderate in amount; perhaps you are not aware whether subscriptions are raised by Protestant residents in these foreign capitals towards the salary of the chaplain?—I am not aware of that being done in the case of any embassy chaplain. A subscription in aid is raised at Copenhagen, but the case of Copenhagen is peculiar. I should observe, that Copenhagen is a mission, and not an embassy; and the reason why we maintain a clergyman there is the reason which I explained a short time ago, namely, that Copenhagen is the resort of a considerable seafaring population caused by the number of British vessels trading to the Baltic. I apprehend that that is the ground upon which we support the clergyman at Copenhagen. We do, in that case, take into consideration the amount raised by the residents, including therein any passers-by, shipmasters, and others, and we supplement those subscriptions by Government contributions. We apply, in that respect, to the case of the clergyman at Copenhagen the principles of the Consular Act.

1997. I think I may assume that the duties of your very important office very fully occupy your time?—They do so.

1998. It is really one of the most important offices, I assume, in the Foreign Office?—I conceive that it is so.

1999. Generally, as I understand, it includes the checking of the entire expenditure under the Foreign Office; and is there anything beyond the expenditure of an important character that comes within your superintendence?—The accounts of the Foreign Office are under my supervision and control. I examine and check the expenditure; and, after having audited the accounts of the several sub-accountants, I myself account for the whole to the Auditor General; but this, after all, is only one branch of my duties I am hardly prepared to say off-hand what my duties do or do not consist of. The duties of the chief clerk at the Foreign Office are of the most varied character; they comprise a great mass of detail, and generally of an important character.

2000. I presume that you would be appealed to by the Secretary and Under Secretaries of State with regard to many matters of importance which might be within your cognisance?—It is the duty of the chief clerk to report on almost all subjects.

2001. In view of this very important position which you hold, and which is next in importance, I suppose, to that of the Assistant Under Secretary of State, I wish to ask you what objection exists to the Assistant Under Secretary of State being a Foreign Office agent; that does not apply to one in your own position being a Foreign Office agent?—My answer to that question is, that I conceive there is a very great difference between the position of the Assistant Under Secretary of State and that of the chief clerk. It is true that, as chief clerk, he is at the head of the clerks, very much as is the case with the top boy at school, but he is still one of the clerks; whereas the Assistant Under Secretary of State is an officer altogether of a different character, and occupying a different position. I think it would be an exceedingly mistaken notion to bracket the chief clerk, and I should be very sorry for a moment to think of bracketing myself as such with the Assistant Under Secretary of State.

2002. And yet you are just immediately on the line of promotion next to the Assistant Under Secretary of State?—I stand next to the Assistant Under Secretary of State.

2003. You are in a fair line of promotion; that is to say, the present Assistant Under Secretary was one of the senior clerks?—He was one of the senior clerks; he was senior to me.

2004. The objection that you feel to the Assistant Under Secretary of State being a Foreign Office agent, I presume, does not arise from the fact that he has more to do than you have as chief clerk, but from the circumstance that his higher position and influence and authority would render it undesirable that he should have these intimate relations with our ministers abroad?—I am not aware that the point has ever been considered, or that any decision upon the subject has ever been given. The appointment of an Assistant Under Secretary only dates from the year 1858. Up to the year 1858 we had no such office as Assistant Under Secretary. The clerk who was appointed in 1858 Assistant Under Secretary gave up his agencies. Whether he was under any obligation to do so, or whether he was directed to do so, or what the circumstances were, I am not informed; but the fact is that he did give them up.

2005. And I gather from your very sound judgment (for I am sure that it is very sound), that you would feel, if you were appointed Assistant Under Secretary, that you could not retain this appointment of Foreign Office agent?—That would be my opinion.

2006. When Mr. James Murray, who was the gentleman to whom allusion has just now been made, ceased to be an agent on his being appointed Assistant Under Secretary, did he not send a circular to his clients, requesting them to transfer

nsfer their business to you and your partner, . Bidwell?—Mr. Murray issued a circular, t I cannot say that he transferred those agen- s to me and my partner, because it is obvious it he could not transfer them.

2007. But he would use his influence by ans of this circular, as far as that influence nt, to transfer them to you?—As the honour- e Member has asked me this question, he will haps allow me to answer it somewhat in tail, and to explain exactly what Mr. Murray on that occasion, and I am glad to have the portunity of giving this explanation, because was the subject of comment either last year or year before. The circumstances of the case re these: in the year 1839, on my appoint- nt to the Foreign Office, I was placed in the ne room with Mr. James Murray, in the con- lar department of the Foreign Office, where I nained some years. Sitting as we did, in the ne room, we contracted a friendship which, I happy to think, time has not impaired, and nich was perhaps somewhat closer than that hich usually exists, or at all events might be pected to exist, between fellow clerks. As idence of this, I may perhaps be excused for ying that, in the year 1844, when some affairs connection with my family were being ranged, Mr. Murray accepted a somewhat erous trust on behalf of myself and other embers of my family; I mention this because it ows that Mr. Murray and I were on terms of ry considerable intimacy. When I subse- ently became an agent, in conjunction with the te Mr. John Bidwell, it was arranged by Mr. urray and myself (we often talked over the opriety and advantage to ourselves of doing so) at we should unite our forces at a future time, e intending that future time to be whenever r. Bidwell might retire from the office. Mr. idwell retired from the office in 1851. Cir- mstances prevented our giving immediate ffect to our intentions, but we had come to an nderstanding on the subject, and had arranged l the preliminaries, when, in the year 1854, ord Clarendon received from the Treasury an timation of their desire that the agencies should e abolished. Lord Clarendon entertained that oposal, a discussion ensued, and Mr. Murray nd I conceived that, under those circumstances, was better to wait, and not to carry into effect that time our proposal for uniting our agencies to one. The communications with the Trea- ry led to no result; but I think in the llowing year, 1855, Mr. Wise, who was then a lember of Parliament, began to move for eturns, and he used frequently to come to the oreign Office about those Returns, and he gave s to understand that it was his intention to ove for an inquiry into the diplomatic and nsular services, and from the year 1855 to 858 we were constantly expecting the Com- ittee would take place. In the year 1858, the onsular Committee was nominated, but it was that year that Mr. Murray was appointed ssistant Under Secretary of State. Mr. urray then issued the circular to which the nourable Member has referred, and, as far as can recollect, I believe its terms were some- ing to this effect, that as he had been ap- ointed Assistant Under Secretary of State, it as his intention to give up acting as a Foreign ffice agent; and he requested his clients to nsider, and to decide upon whatever arrange- ments they chose to make for the future conduct of their business; that he should feel bound to continue to place himself at their disposal until they had made their arrangements, but that if they were in any difficulty as to their future arrangements, he would suggest that they could not do better than place themselves in my hands; and I have only to say, that so far from thinking it strange that Mr. Murray took that course, I should have thought it strange if he had not taken it, because Mr. Murray was almost bound to take it, considering the understanding that had existed between us.

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2008. I hope you will not have the slightest idea that I meant to imply that the whole transaction was not honourable and proper?—I am glad to have had an opportunity of explaining it.

2009. I presume, from your statement (which, no doubt, is in every particular strictly correct), that at the time when Mr. Murray handed over his agencies to you, it was done as a matter of personal friendship, and that there was no payment made to him for goodwill, or in compensation for the loss of his profits?—There was no payment.

2010. And, at the time, and for some years previously, as I gather from your statement, there was an impression in the Foreign Office, amongst the Foreign Office agents, that there was a public feeling and opinion rising up which rendered the tenure of those agencies rather less secure than it had been in former years?—We thought our tenure doubtful from 1854 until the year 1858; but after the Committee of 1858 had sat, and a proposal had been made before the Committee condemnatory of the system, and that proposal had been negatived without a division, we considered that our tenure of the agencies was very much strengthened and improved. The feeling and the idea of the agents, and throughout the office generally, was that the utility of the agencies had been recognised by the Committee, and it received its illustration in the fact that the very next year Mr. Charles Spring Rice established himself as the Foreign Office agent, he considering, no doubt, that the agencies had obtained a fresh lease.

2011. The Committee of 1858, I think, reported very much in the interests of the services about which they were inquiring, in every direction; perhaps you do not know that the 1858 Committee was a very tolerant and favourable Committee towards the services?—I cannot say that I recollect all that they reported upon. I know that with regard to the agency question it was what I have stated.——I have brought with me a Return showing the absences on leave of the heads of missions, for which you were asking the other day (*handing it in*). You also asked the other day one or two questions with regard to the extraordinary expenditure at certain courts. I have accordingly prepared several tables showing that expenditure; but this Paper, which I will hand in, comprises every detail of the expenditure charged to extraordinaries for the year for which the Appropriation Account has just been presented to Parliament, namely, 1868-9, and I think it will be a very useful one for the Committee to have (*handing it in*).

2012. Mr. *Kinnaird.*] You have mentioned, I think, that the duties of your office are very varied; for how long were those duties discharged by Mr. Conyngham?—Mr. Conyngham was

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was appointed chief clerk in 1841, and he held the appointment till his death in 1866.

2013. He had a very wonderful knowledge of all the details of the Foreign Office, had he not?—He had a very great knowledge of its details, and he was in other respects a very able man and a most excellent public servant.

2014. I think it was very difficult ever to get him to leave the office, his attendance and his attention to his duties were so very remarkable?—Mr. Conyngham was always at the office, early and late, summer and winter, year after year; he hardly ever took a holiday.

2015. And the duties which he discharged were of the greatest importance?—They were of the greatest importance.

2016. Do you not of your own knowledge know that it was Mr. Conyngham's practice to criticise and check all the accounts that came before him; was he not rather considered a rigid examiner of accounts?—Mr. Conyngham examined, besides the account of office contingencies, only the accounts of ministers extraordinaries and the messengers' accounts; but it is perfectly true that Mr. Conyngham, who was a very great disciplinarian, was very particular with those accounts; nobody could be more so.

2017. Mr. *Eastwick.*] I wish to ask whether in case of debts being shown against a consul, and an application being made to the Foreign Office, it has ever been the case that sums have been retained from the consul's pay in order to pay those debts?—I cannot answer that question. I am not in a position to do so. I certainly am not aware of the fact myself.

2018. Can you state when the consulship at Resht became vacant by the retirement of Consul Mackenzie, and when the present consul or the consul who succeeded him was appointed; how long it remained vacant, in fact?—That is a question, too, which I cannot answer. The vacancy was filled up by the appointment of Mr. Abbott to the consulate, but what interval elapsed I cannot say.

2019. And during the interval, of course there was no expenditure for a consul there at all?—I cannot answer as to the expenditure; I had nothing to do with it.

2020. You could find it out for us?—Yes.

2021. You are aware that Consul Mackenzie had left very considerable debts?—I have heard so.

2022. Are you aware whether any application was made to the Foreign Office to settle those debts?—Not within my knowledge; it has not come before me.

2023. You are not aware then whether similar cases have occurred of applications being ma for the payment of debts?—I think it is not u likely that from time to time representations w have been made to the Secretary of State wi regard to debts of consuls; but I understoo your question to be whether deductions h been made from the salaries of those officers b cause of their having debts. As far as I c recollect, I should say there has not been a such case.

2024. Mr. *Richard Shaw.*] With regard the Audit Office, after you have examined th accounts, they go to the Audit Office; do the claim the right to reject any of the payments f extraordinary expenditure?—As a general ru they require that we should show Treasury auth rity, and unless we can show Treasury authori they disallow the payments.

2025. Am I to understand that you have g the Treasury authority before you examine th accounts for all the expenditure?—We have standing authority in regard to a certain class expenditure, but any unusual expenditure, ar expenditure out of the ordinary way, requir Treasury sanction.

2056. Then the duties exercised by the Aud Office are merely those of accountants?—E aminers and accountants; I am the accountan of the Foreign Office.

2027. With regard to Siam, by whom are thos accounts audited?—They are now audited b me.

2028. Would it not be better that they shoul be audited in India, or even in China itself?—We have just abolished the audit of China ac counts at Hong Kong; we found that it did no work.

2029. Where did it take place?—The Siam accounts have never been audited either in Chin or in India; those accounts have always com under direct audit in this country; but our ex perience of the local audit in Hong Kong, whic was an audit conducted with great care and wa very scrupulously performed, was that there wa no advantage in it commensurate with the dela which it entailed. There could be no necessity for three audits; an audit at Hong Kong, a second audit at the Foreign Office, and a thir audit at Somerset House. We have, accordingly just abolished the audit at Hong Kong. It wa thought desirable, on grounds of economy a simplifying arrangements, as insuring an earlie arrival of the accounts, and as centralising the responsibility, to have the audit at the Foreign Office in London. I am satisfied, myself, that it is a very good arrangement.

Monday, 11*th April* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Mr. Richard Shaw.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. JOHN WILLIAM KAYE, called in; and Examined.

Mr. *J. W. Kaye.*
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2030. *Chairman.*] WHAT office do you hold in the Indian department?—I hold what is called the office of Secretary in the Political and Secret department; ours is a very large office, and I may say that it represents the whole Home Government of India; supposing that we are an entire Government of India, I am the Foreign Secretary, which is the designation in India.

2031. You are equivalent to the Secretary of State for Foreign Affairs?—Small things compared with great, my office corresponds with it. Supposing the Duke of Argyll to be Premier, I am his Foreign Secretary.

2032. Mr. *Eastwick.*] Will you state how long you have held that office?—Ever since the office of Secretary of State for India was established, and I have held a similar appointment under the East India Company, which bore a different name.

2033. At what date was it that you came into your present office?—In 1858, when the Government of India first came under the Crown.

2034. All the correspondence relating to the external relations of the Government of India passes through your hands, does it not?—Yes; everything that has to do with the native principalities and states, and everything that has to do with the external relations of India, with Affghanistan and Persia, and other parts, is managed under the department of which I am the head.

2035. Were you in office when the superintendence of our relations with the Court of Persia was transferred from the Foreign Office to the India Office?—Yes; that was in 1858; the communication from the Foreign Office came to us in 1858, and it was answered in 1858, so that I may assume that the transfer took place in 1858, though I do not know whether we had all the records from the Foreign Office in that year.

2036. Can you produce any letter from the Secretary of State for Foreign Affairs to the Secretary of State for India, proposing to transfer the control to the India Office?—Yes, I have got a letter here from Lord Malmesbury, dated the 12th November 1858, addressed to Lord Stanley, who was at that time Secretary of State for Indian Affairs.

2037. There is no objection to put it in, I presume?—No; I have the permission of the Duke of Argyll to produce these Papers.

2038. Can you produce the answer?—Yes; I have got the answer from Lord Stanley, dated the 17th November 1858, in which he says that he entirely concurs in the recommendations of Lord Malmesbury upon the ground that the affairs of the Persian Mission are more of an Asiatic than an European character.—(*The letters were handed in.*)

2039. Previously to 1858, was the control of our relations with Persia under the Imperial Government, or under the Indian Government?—It was partly under one, and partly under the other. The first missions that went out were of a special character, such as that which Sir John Malcolm conducted under the Government of India.

2040. *Chairman.*] That was in the early part of the century?—Yes; in Lord Wellesley's time. Then afterwards Sir Harford Jones was sent out in 1808 by the British Government. Sir John Malcolm was then sent out by Lord Minto, as Governor General of India, about the same time. They came into collision, and after that Sir Gore Ouseley was sent, and he was the head of the first permanent mission that was established there.

2041. Was it as an Indian servant or as a Home servant that he was sent out?—He went out under the Foreign Office. He had been in India, but he was sent out under the Foreign Office.

2042. I think both Sir Harford Jones and Sir Gore Ouseley might be called Indian officers?—Yes; Sir Harford Jones had been in the Persian Gulf, and Sir Gore Ouseley had been in India, but I do not think in the Company's service.

2043. He was, of course, acquainted with the language?—Yes; he was acquainted with Oriental languages, and most probably with Persian.

Mr. *J. W. Kaye.*

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2044. Mr. *Eastwick.*] Can you state when the first permanent mission was located in Persia?—Yes; it was in 1810, in Sir Gore Ouseley's time. He was appointed to be our minister in 1810.

2045. Was it then under the Foreign Office or the Indian Government?—Under the Foreign Office. His instructions are conveyed in a Foreign Office Letter of the 10th of July 1810, and he was then told it was the intention of his Majesty's Government to continue a permanent mission at the Court of Persia.

2046. Was it subsequently transferred to the Board of Control?—In 1823 it came back again to the Indian Government, in consequence of a letter from Mr. Canning, who was then Secretary of State for Foreign Affairs, in which he said that the objects of the intercourse with Persia were principally, if not purely, Asiatic.

2047. Have you got the letter?—I have not got Mr. Canning's letter, but I have got quotations from it in a letter from the Court of Directors of the East India Company, in which they say: "You will perceive from that communication that with reference to 'Mr. Willock's sudden abdication of his post, followed by the entreaties of the Shah that he may not be returned to it,' and considering also that 'the objects of the intercourse with Persia are (here comes the quotation) principally, if not purely, Asiatic,' Mr. Canning thinks it advisable to change the character of the mission, together with the nature of its appointment, and to revert to the system which prevailed before the nomination of it was assumed by the Crown. It has accordingly been determined by his Majesty's Government that Mr. Willock shall return to Persia in the character of his Majesty's chargé d'affaires for the purpose of finally settling the unadjusted account of subsidy with the Persian Government, which we trust that you will have furnished the means of doing previously to his arrival, but that he shall remain there in that character only so long as may be necessary for the end in view, or until he shall be relieved." Then it was transferred over to the East India Company.

2048. How long did it continue under the East India Company?—It continued so until the latter end of 1834, or the beginning of 1835. I may say that the letter which Lord Ellenborough, who was then President of the Board of Control, addressed to the Chairman and Deputy Chairman of the East India Company, was dated the 20th of December 1834, and the answer from the East India Company was dated the 15th of January 1835, so that we may say that it was in the Christmas or winter of 1834–5 that the change was made.

2049. Does Lord Ellenborough enter into the reasons for the transfer?—Yes; Lord Ellenborough states the reasons at some length why the minister should always be selected by the Crown, and not by the East India Company; and the reasons given were very much the reverse of those stated by Mr. Canning.

2050. And did the East India Company concur in those reasons?—The East India Company did concur in them; and the Board of Control wrote, "I am directed by the Commissioners for the affairs of India to express their satisfaction that the Court of Directors should concur with them in thinking that the proposed transfer of the mission in Persia from the Company to the King, will be productive of advantage." That is dated the 20th of January 1835, and is written from the India Board.

2051. How long did that arrangement last?—It lasted till 1858, the time of Lord Derby's Government, when Lord Malmesbury wrote the first of the letters which I have handed in.

2052. Was it then considered that no objection, on the part of the Shah's Government, could any longer exist, as the control would be exercised by a Secretary of State, as the immediate representative of the Queen?—Yes, those were the grounds upon which Lord Derby's Government were willing and anxious that the change should take place. Before that it was objected that a mission from a company of merchants would not have the same effect at a proud court like that of Persia, as a mission direct from the sovereign of England; but when the direct control of the Government of India was transferred to the Crown, and the India Office was superintended by a Secretary of State, it was felt that one Secretary of State was of equal weight with another, and therefore that the Shah of Persia could entertain no sort of objection to the change.

2053. *Chairman.*] That change was made the same year that this letter, which you have put in, was written?—Yes.

2054. Mr. *Eastwick.*] While the superintendence of our relations with Persia was under the India Office, was the business conducted by the Secretary of State or by the Secretary of State in Council?—It was conducted by the Secretary of State according to the provisions of the Act, which transferred to the Secretary of State himself individually all the powers which had before been held by the secret committee of the East India Company, which was really another name for the Board of Control.

2055. Are you of opinion that as this business was suddenly transferred to the India Department, there were officers, and particularly in the Council, who were sufficiently informed on the subject to conduct it efficiently?—With regard to the members of council, I have stated that the business was transferred to the single power of the Secretary of State. I should, however, mention to the Committee that the Secretary of State did take the opinions of certain members of the Council of India upon matters connected with the Persian Mission. He did not do it in a formal way, and they never came before the Council of India, nor did they come before any Committees; but the Secretary of State did take the advice of certain members of the Council who, he thought, by their antecedents and experience, were particularly well acquainted with the subject. And there always are in the Council of India some members who have had that kind of experience; and besides as we in the India Office have had frequent transactions with Persia, and the Foreign Office are continually referring to us on questions concerning the relations of Persia with other Asiatic Courts, we of course are well posted up in questions of this nature.

2056. Were the officers employed in the Persion Mission, even when it was under the Foreign Office, officers who had resided in India?—I think that the heads of the mission, until Mr. Murray's time, were previously officers of some Oriental experience; Mr. Murray was the first officer

officer who went from a European Court to be chief of the Persian Mission.

2057. But Mr. Murray had been employed in Egypt, had he not?—Yes, he was consul general in Egypt, I think.

2058. Were the officers employed in Persia accredited from the Imperial Government, or from the Indian Government, or from both?—During the time that they were under the Indian Government, of course they received their credentials from India; but there seems to be no general rule about it. I find, so far as I can ascertain the thing, that when it was directly under the Foreign Office, unless there was a special arrangement, there were, as a rule, no credentials from the Government of India.

2059. You do not recollect any case of that kind?—No, I do not know any case. I think that Mr. Willock, afterwards Sir Henry Willock, had some credentials from the Court of Directors in England, but I do not know that he had any from the Government in India.

2060. Did the greater amount of the correspondence received at the India Office, during the time that the superintendence of affairs in Persia was under it, relate chiefly to Asiatic matters, and to Indian matters, or to European matters, matters connected with Russia, for instance?—I should certainly say that a large proportion of the correspondence related to Oriental matters.

2061. Could you say what proportion?—I should say certainly from two-thirds to three-fourths; I think that would be a minimum statement. But then it is only fair and just to state that at the time when our Persian relations were under the India Office, Sir Henry Rawlinson was the head of the mission, and Sir Henry Rawlinson's very large acquaintance with Oriental affairs, particularly with the affairs of Affghanistan, would naturally cause him to take greater interest in, and to dwell perhaps to a larger extent upon Asiatic questions, because he was better able to see their importance. A minister going from a European Court might probably, on the other hand, write a larger number of letters on questions connected with Russia or Turkey, or other European states.

2062. But since that time you, as have seen a great part of the correspondence which is forwarded from the Foreign Office to the India Office, would you not say that the correspondence relates in great part to Indian matters?—Decidedly I should; under the present system all letters relating to Indian and Oriental questions, whether directly or indirectly, are sent directly to us by the Persian Minister; so that even now at the India Office we receive all the correspondence that relates to Asiatic affairs, and I should say, judging by the number of the letters, that a large proportion still relates to them.

2063. Will you state what is the course of business, and what it has been since 1858, with reference to Persian matters?—Now the Persian Minister at Teheran is immediately under the Secretary of State for Foreign Affairs, and he addresses his communications to the Secretary of State for Foreign Affairs, but he sends duplicates of his letters addressed to the Secretary of State for Foreign Affairs, which relate to Indian subjects, under flying seal to the Secretary of State for India, and we read them, and peruse them, and take note of them.

2064. *Chairman.*] Do they come direct from Teheran to the India Office?—Yes, under flying seal (through the Foreign Office), and then if there be any subject in those papers sent to us which the Secretary of State for Foreign Affairs wishes the opinion of the Secretary of State for India upon, the Secretary of State for Foreign Affairs addresses a letter to the Secretary of State for India, requesting, with regard to such and such a letter received, that the Duke of Argyll, or whoever may be the Secretary of State for India, will favour the Secretary of State for Foreign Affairs with his opinion on the subject.

2065. In point of fact, the Secretary of State for Foreign Affairs officially consults the Secretary of State for India upon matters connected with our Persian relations?—Yes, in so far as they relate to Oriental questions.

2066. Mr. *Eastwick.*] Are there not many important questions coming under the immediate cognisance and direction of the Indian Government, but having a direct bearing upon our Persian diplomacy, which in the existing state of things can only be decided by Her Majesty's Government, after correspondence between the Foreign Office and the India Office, and does not that occasion considerable delay?—There are a great number of such questions, particularly at the present time. We have great complications in the Persian Gulf. The affairs of the Persian Gulf, to which several officers are appointed, are partly under the Government of Bombay, partly under the Government of India, and after that under the India Office. These officers in the Persian Gulf, owing to their contiguity to the Persian continent, are in continual relations with the officers of the Persian Government and our own officers there; and owing to there being two separate authorities controlling those two sets of officers, very inconvenient complications do arise.

2067. It is the fact, is it not, that there are Indian officers all about the southern and eastern frontiers of Persia, and that there are matters continually arising in which there is some difficulty occasioned, owing to there being a dual Government?—Yes; we have a consul general and political agent at Bagdad, and we have a resident at Bushire, and we have also a political agent at Muscat.

2068. *Chairman.*] Are these persons Indian Government servants?—They are the servants of the Government of India.

2069. Are these gentlemen instructed from here?—They are entirely instructed from India. And then we have our political officers in Mekran, who are also under the Government of India.

2070. Mr. *Otway.*] And at other places too; at Zanzibar, for instance?—Except that Zanzibar has relations with Muscat, and through Muscat indirectly with Persia, I do not think that I can produce Zanzibar as an instance of political relations with Persia.

2071. Mr. *Frederick Walpole.*] Is our representative at Zanzibar under the Indian Government?—Partly under the Indian Government and partly under the Foreign Office.

2072. Mr. *Eastwick.*] All the telegraph officers in

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in Persia are under the Indian Government, are they not?—Yes.

2073. And are paid by the Indian Government?—Yes.

2074. And when our officers were employed formerly to discipline the troops of the Shah, they were under the Indian Government?—They were selected, and employed, and paid by the Indian Government.

2075. Supposing that the superintendence of our relations with Persia should be re-transferred to the India Office, are you of opinion that it should be placed under the Secretary of State directly, or under the Viceroy?—Most decidedly under the Secretary of State for India. The very reason that caused the Shah of Persia to consider that an indirect mission, which was at one time sent by the East India Company, was not one of so high a rank as one coming directly from the Crown, would lead him to think that a mission coming from the Viceroy of India would not be of the same rank and condition as one coming from the Queen; and anyone appointed by the Secretary of State for India would be virtually appointed by the Queen.

2076. You are not aware that he would see any difference between the Secretary of State for India and the Secretary of State for Foreign Affairs?—I can see none whatsoever, and I believe that the Shah's government could not discern any difference at all.

2077. Are you aware of any opinions as to the control of our relations with Persia expressed by the late Viceroy of India and his colleagues?—Yes, some very strong opinions have been expressed by them. The matter was taken under consideration on a very important memorandum that Sir Henry Rawlinson had drawn out before he was a member of the Indian Council. That was submitted to Sir John Lawrence's government, and almost all the members of council minuted upon it; and Sir John Lawrence said, "I am in favour of the transfer of the Persian Mission to the control of the Secretary of State for India, for the reasons given by Sir Henry Rawlinson, provided that the arrangement becomes permanent." Sir William Mansfield, the Commander in Chief, minuted also upon it, and said, "With regard to Persia, I am unable to see that any special advantage would flow from replacing the mission at Teheran under the Government of India;" and so on. But Sir John Lawrence replied to that, "No doubt these objections must be taken into consideration, but I do not understand that it was contemplated putting the Persian Mission under the Governor General of India, but under the Secretary of State for India." I may say that the term "Government of India," is a phrase used in India to represent the Supreme Government. In all official communications the Supreme Government under the Viceroy is described as the Government of India. Formerly we used to describe it as "the Supreme Government," but now we describe it as "the Government of India."

2078. They use that term in contradistinction from the Government of Bombay and the Government of Madras?—Yes.

2079. Have any opinions been expressed on the subject by the present Viceroy?—Yes, the present Viceroy has expressed his opinion to the effect, that the complications are such that he finds it difficult to conduct the business of the Persian Gulf at all. He says, "Under the existing arrangements, which for some years past has been in force, Her Majesty's Minister at the court of the Shah is placed under the direct control of the Secretary of State for Foreign Affairs; and while the revenues of India contribute 9,000*l.* a year" (I beg to say that is a mistake, for it is 12,000*l.* a year) "for the support of the Persian Mission, no person who by service in India has obtained experience of those questions, which affect the interest of this empire, is attached to embassy. The Secretary of State for India, or the Viceroy in Council, has no power to direct a single act of Her Majesty's Minister at Teheran; all they can do is to ask for information. In the memorandum drawn up by Sir H. C. Rawlinson on the Central Asian question, forwarded to us by your Grace's predecessor, the inconvenience of this arrangement is pointed out, and it is there shown that diplomatic action at Teheran is nearly invariably connected with questions which are intimately mixed up with the policy and interests of Her Majesty's Government in India;" and this Despatch concluded with these words, "It is our duty to explain very fully the whole position of affairs to your Grace, and to point out that the means placed at our disposal render it most difficult in all cases, and impossible in some, to carry out with success the policy which has been laid down and the instructions of Her Majesty's Government." That is Lord Mayo's Despatch, under date 10th of June 1869.

2080. In point of fact, our policy in Affghanistan and our policy in Persia have a great number of commingling points?—No doubt they have, particularly all the boundary questions. I will not go into details of them, but I may mention that there are several boundary questions which cause great complications at the present time; and owing to the two different sets of officers that are now controlling these affairs, there is necessarily considerable antagonism which would not, I think, happen if the whole were under one controlling head, whether that one controlling head were the Foreign Office or the India Office.

2081. It could not well be the Foreign Office, could it, as you could not well transfer your Indian officers to them?—I have heard a question raised as to whether the control of the Persian Gulf might not be placed under the Foreign Office. It is one which I have not considered, but I think that the same authorities that control the affairs of Persia should also control the affairs of the Persian Gulf. If not there must be complications, and it is a very natural thing that each controlling power or authority, whether the Secretary of State or the Viceroy in India, should support that power which is under his immediate protection, because, for one reason, he understands its affairs a great deal better than anyone else. The Viceroy of India now does not clearly understand the motives which impel our Minister at Teheran to take certain proceedings, and if he thinks that any states are being encroached upon by the Government of Persia his first care is to protect those states which are under his protection.

2082. And there is also a good deal of misunderstanding in India itself, is there not?—I have

have no doubt that there is, and for that very reason the Government of India sometimes takes a one-sided view of the question, and only thinks of those whom it immediately protects. It is like the conduct of the master of a school, who if one of his school-boys has a fight with a boy of another school, of course takes the part of the boy of his own school; whereas if it were between two boys both of his own school, he would arbitrate fairly between them.

2083. With regard to the expenditure, while the management of Persian affairs was under the India Office, how much did the Imperial Exchequer contribute?—The amount previously to 1858 paid by the Indian Exchequer to the Imperial Exchequer was 12,000 *l.* a year. When it was brought under the India Office there was a correspondence between the Secretary of State for India and the Secretary of State for Foreign Affairs, as to the amount which, under those altered circumstances, should be paid by the Imperial Exchequer, and the sum was then fixed at 5,000 *l.* a year, to be paid by the Imperial Exchequer, which was consented to by the Lords of the Treasury.

2084. I see that Mr. Hammond stated that the Imperial Exchequer was saddled with an expenditure of about 3,000 *l.* a year?—I think that probably Mr. Hammond may have been considering the aggregate of the cost that it had been to the Imperial Exchequer, during several years in which it had been under the Foreign Office, and the India Office had paid 12,000 *l.* a year. I think that probably would be about the aggregate cost; but during the time when it was under the India Office, the Lords of the Treasury consented to pay us 5,000 *l.* a year. Here is a letter from the Foreign Office, dated May the 4th 1859, which says, "In reply to your letter of the 30th of April, relative to the division of the charges of the Persian Mission, I am directed by the Earl of Malmesbury to state to you, for the information of Lord Stanley, that the Lords Commissioners of Her Majesty's Treasury have notified to his Lordship that they will not object to a vote being proposed to Parliament in the approaching Session for 5,000 *l.*, as a contribution on account of the expenses of the above-named mission." So I think probably Mr. Hammond must have been speaking of the average cost it had been, not of a particular year in which it was under the India Office.

2085. The expenses of the Residency at Bushire, and some other places in the Persian Gulf, are not included in that 12,000 *l.* a year?—No.

2086. Can you state at all what is the expenditure at the Residency at Bushire?—No; I have not any exact account of that expenditure.

2087. You could, I presume, give us a memorandum of the expenses at the Residency at Bushire?—Yes, perfectly well, on consulting the India Office records.

2088. There are some pensions paid in Persia, I think, by the Indian Government besides?—Yes, there are some pensions and other amounts that are drawn upon the Indian Government. But I made inquiry this morning in the financial department of our office, and I found that they were all debited to the 12,000 *l.* fund, and not paid in excess.

2089. Not even the pension of Ghias Khan?—It was considered that that was not on account of the war in Persia, but of the war in Affghanistan. There are no expenses connected with Persia proper, but there are large expenses connected with the Persian Gulf, not included in the 12,000 *l.*

2090. Is the trade that we have with the Persian Gulf considerable?—Yes, I think it is, and that it has been continually increasing since there have been steamers on the Euphrates and the Tigris.

2091. Do you consider that the whole expense of the Persian Mission might fairly be defrayed from the Indian revenues?—It was so defrayed at one time; but I certainly consider that it could not fairly be defrayed from the Indian revenues, so long as the conduct of the business is not in the hands of the Indian department of Her Majesty's Government. The position at present appears to be, that the payment is from one Exchequer, and that the control of the whole business is in the hands of another department, which only pays a very small contribution towards it.

2092. Do you consider that the chief appointments of the Persian Mission ought to be given to officers of Indian experience?—I think that they ought, decidedly; India must be a very good training school for the purpose, considering the number of different countries to which Indian officers go, many of them going quite on the borders of Persia; and they must have much more knowledge of Persian affairs than an officer who may go from Austria or from Prussia.

2093. With regard to the present state of the Indian services, as to supernumerary officers that may be existing there, do you think that efficient officers could be found willing to undertake these posts in Persia?—Yes, I have not the slightest doubt that such officers could be found at the present time; and that if it was known that the Persian service was open to them, there would be additional reasons for them to qualify in the Oriental languages. There would be a new field of ambition open to them; and at the present time when, owing to the changes that have taken place through the amalgamation of the two services in the Indian army, the prospects of our officers in India proper are not so good, there would be great incentives to them to fit themselves for positions in Persia.

2094. In fact, service in Persia would be very popular?—Yes; when it was known a little time ago that there was some idea of appointing officers of the Indian army to organise and discipline the army of the Shah of Persia, the number of applications made for that particular service was greater than I had expected. A number of men, who had done good service in India, sought these appointments.

2095. Some of your best officers?—I do not know that they were our best, but there were some very good officers among them.

2096. With regard to Siam, I believe that the first consul general in Siam, Sir James Brooke, was an Indian officer?—Yes, Sir James Brooke was an Indian officer; he was consul general at Borneo, and went on a special mission to Siam in 1850. The permanent consulate was subsequently established.

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2097. He was appointed by the Foreign Office?—Yes.

2098. Were the expenses at Siam in his time, namely 1850, defrayed by the India Office?—No, they have never been defrayed by the India Office; we have never paid them.

2099. Does not India contribute anything towards them?—No; I believe there was some correspondence on the subject with the Treasury (a charge on the Indian Exchequer for part of the expenses of the Siamese consulate having crept into the accounts), but ultimately the charge was not allowed by the Indian Department.

2100. Have there been any diplomatic relations between the Court of Siam and the Indian Government?—We were at one time indirectly, I think, brought a good deal into communication with Siam, but that was at the time when the Straits Settlements were under the Government of India, and our connection with the Government of Siam has diminished since our relations with the Straits Settlements were handed over to the Colonial Office. I remember that we had at one time some uncomfortable complications, owing to marriages of the chiefs in that part of the country with members of the Siamese Royal family; and there may be some eventually with regard to Burmah and the Shan States, if some of the projects at present afloat should be carried out.

2101. In that case, with reference to the complications which might occur in that direction, do you think that it would be advantageous to have an Indian officer at Siam?—I do not know; it might, under certain circumstances, but it is a question that it is almost impossible to answer till you know the exact position of affairs.

2102. Mr. *Richard Shaw.*] Are we to understand that the Foreign Office, since the Persian Mission has been under its control, has not selected Indian officers for that service?—Yes, Indian officers have been appointed by the Foreign Office. They were appointed until Mr. Murray was appointed; at least, in the case of the head of the mission. I do not know whether the subordinate officers were Indian officers. There are what are called the assistants, or attachés, and then there are the consulships also there, as to which I think I should express my opinion that there is no reason why the consular officers should be officers of the Indian Government; there are two now, one at Resht, and the other at Tabreez. There was formerly a consul at Teheran.

2103. I understood rather from you that the Indian officers had been excluded from the Persion service?—No; but now the two last appointments have been those of Mr. Murray and Alison; and, with the exception of Mr. Eastwick, I think I do not know an Indian officer since Mr. Murray who was appointed by the Foreign Office; Captain Watson was appointed by the India Office. There is no officer there, with that exception, appointed by the Foreign Office, since Mr. Murray.

2104. Mr. *Butler-Johnstone.*] At present the affairs of Persia are settled by the Foreign Office, and despatches sent to the India Office under flying seal; but they would have to be sent under flying seal through the Foreign Office to the India Office, even if they were directed by the India Office, would they not?—Yes; if our Persian relations were transferred to the India Office, just the reverse of the present state of things would be the fact—namely, that matters relating to European subjects would, of course, go to the Foreign Office, and when the Secretary of State for Indian Affairs had to deal with them he would consult the Foreign Office; therefore, the only questions would be, whether the aggregate of business were a greater amount on the one side or on the other, and whether the general character of our Persian relations were such as to be best conducted on European or Asiatic principles.

2105. *Chairman.*] Was that the practice previously to the transfer?—Yes. During the time that the Persian Mission was under the India Office, whenever there was anything affecting a question of European policy that was done. It must be remembered that any member of the Cabinet is very well acquainted with European politics, and the Secretary of State for India would to a certain extent be acquainted with the politics of Russia or Turkey; but I do not think that the Secretary of State for Foreign Affairs would give the same amount of study or care to Indian politics. A member of the Cabinet is always supposed to be acquainted with Home and Foreign affairs, but India is supposed to be abnormal and exceptional.

2106. Mr. *Butler-Johnstone.*] Questions which arise in the Persian Gulf and Persia are often of a very mixed character, as much European as Indian, are they not?—In Persia doubtless it is so, but not in the Persian Gulf. Turkey is of course a European power, but it is only Turkey in Asia that has any interest in the politics of the Persian Gulf. For instance, the Sultan has some, and might put in other, claims, as he does on the coast of Arabia, which might so far bring us into European politics.

2107. In the event of an European nation trying to found a settlement upon that coast, that would be an European, not an Indian question?—Yes, but in the India Office we have a great deal of communication about the foreign powers, French or otherwise, forming settlements out in the Red Sea or Persian Gulf. Some French companies are putting forth schemes for colonizing on the shores of both waters. These come immediately and directly both under the India Office and the Foreign Office. We should not take any action upon them without consulting the Foreign Office.

2108. In point of fact the double Government does not cause much delay; you get very rapid communication between the two offices?—No doubt, and particularly in this branch of the business which, as I have already said, is conducted in the India Office mainly by the Secretary of State, without reference to committees or councils. If it went by committees or councils there would be immense delay, but as it is done in the secret department of the India Office, that is not the case, and I think Mr. Otway can say that we do not take very long, if there be no difference of opinion between the two offices.

2109. Does all communication between the two offices take place by writing, or is there any oral communication?—If there is anything of great urgency I think we should communicate orally. If it were merely a matter of sending some papers over, I should act upon my own authority

ty and send them on, if I could not have immediate access to the Secretary of State for is instructions.

2110. What officer in the India Office would ommunicate officially orally with the Foreign Office in a matter of urgency?—If it were a matter of extreme urgency I should communicate myself with the Foreign Office. In a matter which required to go through the Secretary of State, the letter would be signed in ue course by the Under Secretary of State.

2111. Then, in point of fact, the question might e settled in the course of the same day that the Despatch was received from India?—Yes, if the uthority of the two Secretaries of State could e obtained upon it. If I had the means of eeing the Secretary of State for India, I should ay, "Will you give me authority to do so-and-o." I do not think that we should be brought p much by forms.

2112. You mentioned something about English officers being employed by the Shah of Persia. Is that question settled?—No, that uestion is not settled; and there is a reference eing made now to the Shah's Government as to he terms. The India Office express themselves uite willing to grant the officers; the question s as to the terms.

2113. It is a question with the Persian Government now?—Yes; both the Foreign Office nd the India Office agree to do it, if the terms an be arranged with the Shah's Government.

2114. Mr. *Rylands.*] In reference to the question which the honourable Member just ow asked you, as to matters being settled in a day, did I correctly understand you to say, that here are a number of questions now pending in which the dual government comes in, and in which considerable delay and difficulty and complication have been caused, in consequence of the existence of this double government?—Most decidedly; especially when the Governments of India intervene. I mean to say, that supposing a case in which the Government of India were not concerned, and in which no agents or officers under the Government of India were concerned, in that case a direct reference between the Secretary of State for Foreign Affairs and the Secretary of State for India, might settle the question in a day. But if it were a question in which the good faith of the Government of India was concerned, or in which the conduct of the officers of the Government of India was concerned, or anything of a similar character, the India Office would not settle it without reference to the Government of India.

2115. But in such a case, I presume, the delay does not arise out of the existence of a double government. The questions put to you had reference to the effect of there being a dual government in creating delay and complication?—And it does so in the case I put, because supposing that the Government of India had power to take certain proceedings with reference to Persia, they would telegraph to us and ask if they might do so-and-so, and we would telegraph back to them, and then they would act in accordance with our instructions, and we might in the course of two or three days send out instructions to them as to the policy to be pursued. But if we have to consult also the Foreign Office, and the Foreign Office differ from us, and if we are ignorant, as probably we are, of the views which are entertained by the Persian Minister here, owing to the fact that we cannot have direct communication with the Persian Minister, but only through the Foreign Office, all those things must cause delay.

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2116. Then, in point of fact, the matters which can be settled in a day are only matters of routine?—Only matters in which there is no necessity to refer to the Government of India or to our minister in Persia (their views having been already ascertained), and in which there is no difference of opinion between the India Office and the Foreign Office.

2117. If anything unusual or important were to occur, then the dual government would interfere with the expeditious settlement of the question?—Yes.

2118. Mr. *Butler-Johnstone.*] By dual government, do you mean government in India and government in London?—No, I understood the question to mean the India Office and the Foreign Office.

2119. And you think that delay does take place from that dual government?—Yes, it must.

2120. But you would require to have recourse to the Government of India equally if there were not that dual government?—Yes; but the chief cause of the delay is that there are very often antagonistic views entertained by the Foreign Office and the India Office. The real causes of delay arise not from matters of detail, but sometimes from extreme antagonism of opinion, and it takes some time for one department to state its views and get up all the facts bearing on those views, and for the other to do the same; so that necessarily considerable delay is involved in stating those antagonistic views; and there are many questions that have gone on and do not seem to advance in the slightest degree between the two offices; each seems to hold to its own opinion. We send all the despatches that we have relating to the affair in question to the Foreign Office, and the Foreign Office send us the correspondence with the Persian Minister in this country and our Minister at Teheran, and of course the correspondence with regard to these antagonistic views, each side, perhaps, believing that the good faith of the British Government is involved, takes considerable time.

2121. The questions in which there is a difference of view between the Foreign Office and the India Office are, I presume, questions in which European politics are involved, and questions of high policy, not of India alone?—No doubt a number of important questions relating to European politics are not referred to the India Office.

2122. But where there is collision of opinion it is because of the matter involving questions of European policy?—I think not; I think the reason why a difference of opinion exists is, that our British Minister at Teheran is very anxious to support the Persian Government, and is not sufficiently well acquainted with the effect that supporting the Persian Government in a particular question would have upon those states under the protection of the Indian Government, and therefore he backs up his own man; our officers, on the other hand, back up their men; and I think the reason why each backs up his man is because he is ignorant of the case of the other man.

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2123. Mr. *Rylands.*] Does not the difficulty often occur in this way, that the Foreign Office have a notion that they can understand the questions arising out of Persian affairs better than the India Office can understand those questions?—I do not know. I have no doubt that the Foreign Office understand a great deal better all questions relating to European relations and powers, but I do not see how they can understand a great deal better questions relating to Asiatic powers, and with which we are continually in connection. It is, I think, because the India Office does not understand the Persian standpoint, and the Foreign Office does not understand the Indian standpoint, that we come into collision.

2124. That, of course, will lead to considerable correspondence and delay?—Yes.

2125. In reference to the other question put to you by the honourable Member, whether, in the event of the Persian Mission being transferred to India, there would not still be a certain amount of double government in connection with European questions, I suppose the fact would be that whereas now in relation to Indian questions something like four-fifths of the matters before the Government would bring into play the double government, in the other case, if the Persian Mission were transferred to the India Office, only about one-fifth of the questions would partake of the character of those involving a double government?—Without stating the exact proportion, I think certainly that fewer such questions would arise. At the India Office we should generally say to ourselves, "We do not understand this question, it is a question connected with Turkey, or France, or Russia" (unless it happened to be with regard to the advances of Russia in Central Asia, which is particularly one of our own questions); "it is a question of European policy, and we are Indians, and we think that you at the Foreign Office know best."

2126. You do not pretend to omniscience in the India Office?—Certainly not; we are Indians.

2127. Mr. *Baring.*] Taking into consideration the weight that some Persian affairs have with reference to European affairs, you do not wish to take the responsibility of the entire control of Persian affairs?—No; we should consult the Foreign Office in any matter where we thought it expedient; we should not do away entirely with the control of the Foreign Office in Persia.

2128. *Chairman.*] Does not a great deal of your objection arise from the fact that the head of the mission in Persia is a European politician, and not an Indian politician?—I should like to see the head of the mission, and all under him, men of Indian experience; but that is not my sole objection. One of my principal objections is, that the present system involves an extraordinary anomaly, which is this: that for all purposes of control and government of our relations with Persia, it is said at the present time that the affairs of the mission are more European than they are Asiatic or Indian; but for purposes of payment, it is stated that they are more Indian than they are European. I say that those who have the control over these relations, and can govern them as they like, are those which should pay the bulk of the money; and why India, when it is said that the business is more European than it is Asiatic, should pay 12,000*l.* a year towards this mission, and the Foreign Office, according to Mr. Hammond's figures, should pay only 3,000*l.* a year, or only one-fourth of the whole, is what I do not understand. I say, either let the Imperial Exchequer pay the bulk of the money, or let India have the control of those transactions.

2129. Then, as I understand, it comes to this, that if the English Exchequer was to pay the 12,000*l.*, as the English Exchequer pays the 3,000*l.*, you would be very much more satisfied with the state of things than now?—Yes; but not wholly satisfied. There are some who think the money considerations more important than anything else; but I consider that it would be better for India that she should have the entire control of the business there, and should pay all the money, whatever the amount of that money may be. Even in a financial sense, we might be gainers in the end, for I consider that the last Persian war was certainly a Foreign Office war, and not an Indian war. England did, in that case, pay half the amount, though it paid nothing towards the Affghanistan war. I think that if Sir Henry Rawlinson had been there we should not have had war in Persia in 1856.

2130. It comes, then, very much to what I was suggesting, that if you had a skilled Indian politician in Persia, representing the British Government, you think very likely these difficulties would not occur, and our affairs would be better conducted. But is not the difficulty that you have been stating an inherent difficulty in the nature of the relations between India and this country, and is it not the case that, even if you had the control of the mission in Persia, you must communicate, in regard to all matters of European business, with the Foreign Office, as you used to do?—Most certainly. But I have stated already that I do not think that the questions which would then arise of European diplomacy would be so frequent as they are now; and in the next place, I stated that I did not think that there would be so much difference of opinion between the two departments of Her Majesty's Government.

2131. Might not the same differences still arise upon those points, as between the Indian Government and the Home Government?—My view is, that the reason why the differences of opinion arise is because the Indian Viceroy controls the officers of the Persian Gulf, and the countries that border upon Persia, whereas the Foreign Office controls Persia itself, and that if all were under the India Office we should seldom have these difficulties, because the questions would not arise at all, or would soon be smoothed down by arbitration.

2132. Mr. *Kinnaird.*] I suppose you consider the prestige of the Viceroy of India important, and do not you think that it loses considerably in Persia from the transfer of the mission to the Crown?—It is not, I think, the views of those who argue from the standpoint that I do, that it should be all transferred to the Viceroy of India. Even the late Viceroy of India himself, Sir John Lawrence, was of opinion that it would not be desirable to place it under the Viceroy. He told me the other day that he did not wish that.

2133. For what reason?—Because it would not have the same prestige in Persia. The Shah's

hah's Government would say that it was a ission, not from the Queen herself, but from ie Minister of the Queen; so that it is not onsidered advisable, in case of any change aking place, that it should be a mission from ie Viceroy of the Queen, but from the Queen; ie only difference being, that the Secretary of tate for India should regulate the proceedings, nstead of the Secretary of State for Foreign ffairs.

2134. You think that that would meet the ifficulty?—Yes; because, as far as I under- tand, there is no difference, in point of rank, etween the Secretary of State for India and ie Secretary of State for Foreign Affairs. In ct, it so happens that the son of the Prime linister, namely, Lord Stanley, was the first ho sent out any despatches to Persia as Secre- ry of State for India. That was an accident, f course. But I believe that it had some effect Persia.

2135. Mr. *Baring.*] Your objection is that ie Indian Government should pay for what the oreign Office does?—That is one of my objec- ons, but I would sooner that the India Office hould manage it, and pay for it too. I think it very hard if we are not allowed to manage it, hat we should have to pay for it.

2136. Mr. *Otway.*] In point of fact, are not ll the Persian questions now outstanding ques- ions affecting immediately India, and not Euro- ean questions; for instance, the Seistan, Me- ran, Bahrein, Herat, and Khelat questions?— es, they are.

2137. But if the Persian Government came nto collision with the Indian Government on ny one of these questions, of necessity it would nvolve a European question also?—Indirectly, t might, in some.

2138. Persia has representatives at the courts f all the great powers, has she not?—Yes.

2139. She would therefore be able to interest hese powers in her cause?—Yes.

2140. I think the last war was concluded by he mediation of France?—It was concluded at Paris. I do not know to what extent, if any, France was concerned in the matter. I quite see he point you are putting. I wished to make it ppear to the Committee that these collisions be- ween Persia and other Asiatic states would run nuch less chance of taking place if Persia and hose states were under the same control, ecause the single government would in that ase understand the facts as from both sides, and ould be in a better temper to adjudicate, and ave much better chance of using its influence uccessfully, first from one side, and then from the ther.

2141. You would have all the advantage that Lord Napier had in the Abyssinian War, of being eneral and diplomatist if at once?—Yes.

2142. With regard to those small states with hich the Indian Government has treaties, for nstance, Khelat, the Foreign Office has not the ame means of knowing the value, or even the onditions, of those treaties, as you have in the ndia Office; have they?—No, of course they ave not the same means; and we have not the ame means of knowing the standpoint from hich Persia operates; and that is one of my main rguments for wishing to bring them under one ingle authority, which does know both sides of he questions.

2143. I conclude that when the Indian Government appointed the head of the mission in Persia, it was considered by all the Indian officers as a very great prize, was it not?—Yes, certainly; it was considered that it would be advantageous to the services generally, and the general feeling was, I think, if you may judge from what was commonly expressed by the newspapers, and what is still now being expressed by the newspapers, in the country, that it was for the general interest of India that the Persian Mission should be under the Indian Department of Her Majesty's Government.

2144. In fact, recalling the names of some of the men that have been there, they were, some of them, men of great eminence?—Yes.

2145. You mentioned something about the difficulty of communication between the Viceroy of India and our Minister in Persia; but still in case of an emergency the Viceroy of India does not hesitate to address what you might almost call instructions to him?—I think the Viceroy of India complains that he cannot give instructions; that though he can communicate and state his views, they are not always acted upon, and they fall far short of instructions. Lord Mayo (as before cited) says, "Under the existing arrangements which, for some years past, have been in force, Her Majesty's Minister at the Court of the Shah is placed under the direct control of the Secretary of State for Foreign Affairs; and while the revenues of India contribute 9,000 *l.* a year for the support of the Persian Mission, no person who by service in India has obtained experience of those questions which affect the interests of this Empire is attached to that Embassy. The Secretary of State for India, or the Viceroy in Council, has no power to direct a single act of Her Majesty's Minister at Teheran; all they can do is to ask for information." That is Lord Mayo's account of the position, and he winds up with these words, which I read before: "It is our duty to explain very fully the whole position of affairs to your Grace, and to point out that the means placed at our disposal render it most difficult in all cases, and impossible in some, to carry out with success the policy which has been laid down and the instructions of Her Majesty's Government." That is what Lord Mayo says of the present state of affairs as far as regards his connection as Viceroy with Her Majesty's Minister at Teheran.

2146. Still it is within your own knowledge, is it not, that the Viceroy does express his views, by telegraph and otherwise, to the Minister at Persia?—Yes.

2147. And the Minister in Persia, as a public servant discharging his duty, would attend to the opinions of the Viceroy?—If they are consistent with the views of the Foreign Office. But if the Minister at Teheran receives instructions from the Foreign Office to a totally different effect from those which he has received from the Viceroy, he would act in accordance with the instructions of the former.

2148. I take it that the Viceroy's communications do not amount to positive instructions?—Exactly so. I think you will see that Lord Mayo considers that they are not tantamount to instructions at all, but merely an expression of opinion.

2149. However, you have stated from your experience

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perience that you are of opinion that the dual system of government is disadvantageous?—I think it is. By the dual government I understand government between the Foreign Office and the India Office. I think, as I have before said, they look at similar questions from different standpoints, and have different information to guide them; they have the inclination, of course, to support those under their own protection, and therefore they are apt to come into conflict and antagonism with each other; and that happens not only with regard to the Secretaries of State at home, but still more with regard to the officers out in that country. Each officer backs up his own man, and then the Indian officer comes into antagonism with our Minister in Persia, and then there are references to England, and each office supports its officer, each department acting in perfect good faith, each doing what it is best for the public interest, but each of them being short of the desired amount of information that will enable them to form a just and judicial view of the case.

2150. If, on an act of vigour on the part of an officer, the Indian Government were led to approve of that officer's proceedings, you may suppose it possible that the Foreign Office would view that Act unfavourably, in consequence of representatsons made by the Persian authorities?—Yes, so much so, that a case might arise of this kind: whilst the Viceroy of India is writing home to the Secretary of State for India, recommending that, owing to the excellent manner in which an officer had conducted a case in the Persian Gulf, he should be recommended for the honour of a K.C.B-ship, perhaps the Foreign Office, at the same time, is suggesting that he should be called upon to give explanations of his improper conduct in those very transactions.

2151. Mr. *Rylands.*] Has there not been a case in which a Minister in Persia, at all events a person attached to the Persian Mission, has been treated differently by the Foreign Office and the India Office; in the one case being recalled, certainly not in a manner redounding to his credit, and in the other case being recommended for an honour of the character you have mentioned?—I think there may have been a case of that kind.

2152. Mr. *Otway.*] When the Persian Mission was under the Indian Government, besides the regular salaries, was there not a considerable allowance for presents?—Yes. When Sir Henry Rawlinson went out as our Minister at Teheran, he was of opinion, and the India Office was of opinion, looking at the question from an Oriental point of view, that considerable additional prestige would be given to him if he went out, as the first mission had gone, under Sir John Malcolm, which took the most wonderful presents, and which was the cause of the first éclât we had in Persia. Sir Henry Rawlinson was of opinion that he should do that thing which, according to the notions of Asiatics, carries more weight with it then anything else, and he did carry out some presents, not to any lavish extent, but 1,500*l.* worth.

2153. It is the usual custom in the East?—Yes.

2154. Mr. *Eastwick.*] With reference to the comparison of the expenditure which comes from the Indian Exchequer and from the Imperial Exchequer, is it not the case that the expenditure from the Indian revenue is very much more than 12,000*l.* a year, taking in the Presidency at Bushire and the telegraph, and the various other matters?—Yes, certainly. The expenditure on the telegraph is very large, though I have no knowledge of the exact amount; there is also the Resident at Bushire; there is also the Political Agent at Baghdad; and there is the Muscat man; all of these have relations with Persia, even if we had no direct connection with Persia.

2155. Mr. *Otway.*] I understand your opinion to be, that the minister at the Persian Court should be nominated by the Crown; that that should be done under the recommendation of the Secretary of State for India, instead of under the recommendation of the Secretary of State for Foreign Affairs, but that still he should be the Minister of the Queen?—Yes. I would deprecate the idea of only considering him a minister sent by the Viceroy of India; but I would say, that instead of being selected by the Secretary of State for Foreign Affairs, he should be selected by the Secretary of State for India; but I think that he should absolutely go, as now, as representative of the Crown. I would have no alteration in that respect.

2156. Mr. *Eastwick.*] When the superintendence of our relations with Persia was under the India Office, can you recollect any European matters of importance which came under your notice connected with Persia?—I cannot at this moment bear in mind any question of great importance connected with European politics. There may have been references about the Turko-Persian boundary question.

2157. That is settled, is it not?—That was under consideration at the time when it was under the India Office; but, as far as I remember, that is almost the only important European question which formed the subject of the Persian ministers' despatches.

2158. Mr. *Butler Johnstone.*] All questions of the relations of Russia with Persia would come under that head of European questions?—Yes, they would; but as far as Russia's action towards the Asiatic territories was concerned, they were very quiescent just at that time.

2159. *Chairman.*] The Minister at Teheran I understood you to say, sends copies of all letters which concern Indian affairs through the Foreign Office under flying seal, and they are forwarded to the India Office?—Yes.

2160. And do the Foreign Office exercise that discretion about sending other Despatches to you?—Even supposing that we have these Despatches before us at the India Office, if the Foreign Office wished to make a reference to us upon any question, and to have the views of the India Office upon it, they would write to us "With reference to Mr. Murray's or Mr. Alison's letter of such and such a date, number so and so, a copy of which you have had, I am directed by Lord Clarendon to say that he wishes to have the opinion of the India Office upon it."

2161. Then, in fact, it is the Minister at Teheran who makes the distinction and classifies the business, and not the Foreign Office?—He exercises his judgment.

2162. As to what is a matter of Indian interes

nterest, and what is one of general interest?—Yes.

2163. Then, as to the other officers, in the ature of diplomatic agents, do they correspond vith the Foreign Office, through you?—No; here are one or two of our agents that do corre-pond with the Foreign Office; the consul and gent at Zanzibar corresponds with the Foreign Office, and I think the Muscat man does also, vhich is only recently. The fact is, that they re Her Majesty's consuls as well as being gents of the Indian Government, and the con-equence is, that as consuls they are allowed to correspond with the Foreign Office.

2164. Mr. *Otway.*] You pay them entirely?—Yes, we pay them entirely. With reference to Zanzibar, there is a recommendation of a Committee, sitting at the Foreign Office (of which I am a member) that the Imperial Exchequer should pay half of the cost there.

2165. *Chairman.*] Does that correspondence from Zanzibar go direct to the India Office?—The Zanzibar correspondence goes direct to both offices; as political agent, the officer there writes direct to the India Office, and, as consul, to the Foreign Office.

2166. Is it the same at Baghdad?—I do not quite know the system as regards the Foreign Office; the consul general at Baghdad wished to communicate directly with the Foreign Office, as political agent as well as consul general, but was not allowed to do so.

2167. His communications to the Foreign Office come through you, whatever they may be?—Not in his consular capacity. He has communications with the minister at Constantinople, in regard to Turkish affairs, and with the Foreign Office; but we know little of these matters.

2168. Do you pay him entirely?—Yes.

2169. Mr. *Richard Shaw.*] Are we to understand that if the control were once more vested in the Indian Government, you would be quite ready to bear the whole expense of the Persian establishment?—That is a question that I could not answer; it would depend upon the Council of India, with whom the power of controlling the finances of India would rest; but as it would appear that the expenses are not much beyond 12,000 *l.* a year, which we now pay, I think we might see that there would be corresponding advantages, which would result from it, which would be worth the further expense. Speaking of my own private opinion, I should say that it would be well worth doing, if it were only to avoid collisions, and correspondence, and expeditions, and so on, that are very expensive; I would not hesitate to say that I think India would gain in purse by having the entire management of it, even if she paid the entire expenses, without a contribution from the Imperial Exchequer.

2170. Sir *Charles Wentworth Dilke.*] Have you any experience of the working of the competition of your civil servants?—Yes.

2171. Sufficient to justify you in giving an opinion at all as to whether such a scheme would be satisfactory for the diplomatic service?—Not having been in India since the new rules came into force, I cannot judge very well, but I find that the opinion generally of the civil service (it may be prejudice) is not very much in favour of the present plan; but certainly the new system has developed some men of very great ability, and men who have turned out admirable public servants, and particularly in this very foreign department, men like Mr. Wyllie and Mr. Aitchison, the latter now holding the office of Foreign Secretary in India. It is held in his person by a younger man than has ever yet held that position in India. He was considered so much the ablest man to succeed to the appointment when the previous Foreign Secretary intimated his intention to resign, that he was telegraphed for to England by Lord Mayo, to ask him to accept the appointment. He was a very young man for the appointment, but they selected him out of the whole service. Mr. Wyllie had retired from the service, or he might perhaps have been asked to go.

2172. How many years had Mr. Aitchison been in the service?—I think not more than 12 or 13. But certainly the general opinion with regard to those who have come in under the new system is that, although very good at the office work, they have not that same kind of pith and sinew that the former civilians had, and that in a great crisis like the mutiny of 1857 and 1858, they would not have distinguished themselves, so much as the old civil servants, did as soldiers—men who took their rifles and went out and fought the enemy just as if they had been bred up as soldiers.

2173. The chief reason for that feeling with regard to those who have come in under competition is that a great many of them cannot ride?—Yes; a great many of them could not ride, and never fired off a gun in their lives.

2174. But it would be easy to have an examination in riding?—Yes; but I never knew a person who could ride well who did not ride as a boy.

2175. But if riding is necessary for the performance of their duties, it would be perfectly easy to make them pass a test examination in riding?—But perhaps the father could not afford to give his son a pony. I may observe that some of the best officers in the field during the mutiny were volunteer officers embodied from civilians who had no more civilian work to do, and themselves volunteered for service.

2176. Mr. *Otway.*] What is the system of competition in the India Office?—I do not know that we have had much system there; it has generally been that three go up, and one out of the three is taken.

2177. Mr. *Rylands.*] And the three are nominated by the Secretary of State?—Yes; then generally the two who are not taken, if they pass a good examination, are allowed to go up a second time.

2178. Practically it is simply that the Secretary of State nominates a number, out of whom those who prove themselves most capable on examination are selected?—Yes; I do not think that they are any better than those who came in before. I think a great number of those that came into the office before were the sons of the old functionaries of the India House or Office; and those men took special pains, of course, in training their sons for those duties, and that turned them into better officers; and such men generally had more pride in their offices—more *esprit de corps.* I think that is a very important circumstance that ought not to be forgotten. I have found sometimes that those who have been the sons of old servants in the India House, have turned out the best clerks in the office.

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2179. Mr. *Eastwick.*] You have held appointments, I believe, both in the diplomatic and in the consular services?—Yes, in both.

2180. Will you state what your service has been?—I held Her Majesty's commission as consul and consul general at Bagdad for 12 years, from 1843 to 1855, being at the same time political agent in Turkish Arabia on the part of the Government of India; and subsequently I was Her Majesty's Envoy and Minister in Persia, during 1859 and 1860. I may add that I was also six years in a military capacity in Persia attached to the mission at an earlier period from 1833 to 1839, and I was also for three or four years in the Indian diplomatic service during the occupation of Affghanistan.

2181. I believe that the appointment at Bagdad and that at Bushire, and all the other appointments in Persia, with the exception of the mission at Teheran, and the consulships at Tabreez and Resht, are purely Indian appointments, and are paid for out of the Indian revenues?—Perhaps it may be convenient that I should state seriatim what the appointments are in Persia and the neighbouring countries. There is a diplomatic mission with an establishment at Teheran, which is entirely under the Foreign Office. There are consulships at Tabreez and at Resht, which are also under the Foreign Office. Then there is a telegraphic establishment in Persia, which, although under the control of the mission, belongs to the Indian Government, and is conducted by Indian officers at the expense of India. In the adjoining countries there is a political agent with an establishment at Bagdad, under the Government of India politically, but holding the commission of consul general from the Crown. He is paid by the Indian Government, and corresponds both with the Government of India and with the Foreign Office. There is also a naval establishment on the Tigris under the Indian Government, and some telegraph officers at the telegraph terminus at Bussorah. With regard to Bushire, in the Persian Gulf, although the place itself is in Persia, the officer who is stationed there and who is called the Resident in the Persian Gulf is entirely under the Government of Bombay, receiving his pay and instructions from India, and being in fact *boná fide* an Indian officer. The telegraph establishment, and the naval establishment in the Gulf, are also under the Government of India, and so is the establishment at Muscat. I may also mention that the mission in Persia, although under the Foreign Office, is paid principally, if not entirely, by the Indian Government to the amount of 12,000 *l.* a year, and that all the subordinate native agents also throughout Persia are paid by the Indian Government, although nominated by and under the control of the mission. I mean the agents at Shiraz, Ispahan, Kermanshah, and in Khorassan.

2182. Do you think it desirable that the officers who fill these appointments in Persia should be Indian officers, or would officers of the regular diplomatic and consular services do as well; at all events after a time?—I think that officers of the Indian service are better. I think that they are better qualified for employment in Persia from the circumstance of their being conversant with the manners of Orientals, and more scrupulous about offending Mahommedan prejudices. Besides, they would come to Persia with a certain knowledge of the language, and would take a real interest in the country, which is a very important consideration.

2183. You did not say anything with reference to Zanzibar. Is that under the India Office or the Foreign Office?—Zanzibar is so far removed from Persia that I hardly thought your question applied to it. The establishment at Zanzibar is paid for at present entirely by the Indian Government, but the officer in charge of it corresponds both with India and with the Foreign Office.

2184. Hitherto the officers who have been employed in these appointments in Persia, even at the mission itself, have been Indian officers, have they not generally?—Until recent times I should say almost universally. I believe indeed that from the commencement of the century there are only three or four officers who have been in charge of the mission who have not been Anglo-Indians. The only ones that I remember were Mr. Morier in former times, and in more recent times Sir Charles Murray and Mr. Alison.

2185. Have the Persians lost in any degree their Oriental character; do they approach now at all to the European civilization?—The Persians certainly have a certain varnish of European ideas, but they are essentially Oriental, and exhibit all the Oriental characteristics for good as well as for bad.

2186. Would you say that the Court of Persia approximates more to the Indian courts or to the European courts in customs and character?—The Court of Teheran is in reality of the same type as the Indian courts, as the old Courts of Delhi and Lucknow, and the modern Courts of Cabul and Hyderabad. Certainly in Persia there is a refinement both in manners and language which does not exist in India; and there is also a tendency to imitate and to adopt European institutions which some day, it is to be hoped, will bring forth good fruit. But as I said before, the type is decidedly Oriental, and there is this essential difference between the Persian court and other courts; that at Teheran there is nothing like representation, or any approach to constitutional government, or even what we call in Europe "public opinion"; there is nothing but the individual and the irresponsible will of the sovereign. So that the duties of an envoy are very different in Persia from what they are in any European court. An envoy in an European court, when engaged in any difficult negotiation, naturally and very properly brings the influence of his government to bear upon public opinion or upon the advisers of the Crown; but in Persia he must be mainly dependent for success upon his own personal influence with the sovereign. That I do think is an essential difference between the Persian court and the courts of America and Europe.

2187. So that an envoy who was not acquainted with the language or with Oriental manners would be very unlikely to be successful in his negotiations, or at all events more unlikely than one accustomed to them?—Certainly more unlikely. In fact I consider an acquaintance with Oriental manners and usages, and with

with the language of the country, to be indispensable to the position of envoy at Teheran.

2188. You held your appointment as minister in Persia for a comparatively short period, can you give any reasons for having retired so speedily?—The history of the affair may be told in a very few words. I was already in the Council of India in the year 1859, when the relations with Persia were transferred from the Foreign Office to the India Office, and I was invited to take charge of the Persian Mission, in immediate connection with the India Office. In the following year the mission was re-transferred to the Foreign Office, and I tendered my resignation. My reasons for taking that step were stated to the Government at the time, but I may explain to the Committee that I tendered my resignation because the conditions on which I had taken office were not continued, and because by the transfer the position and the duties of the mission were very considerably altered.

2189. Have you any objection to state those reasons?—The reasons are to be found in my official letter; but whether I put that in, or whether I should state them verbally, must rest with the Committee. I have no objection to do either.

2190. *Chairman.*] Will you state them verbally?—The reasons then, under which I acted, amount to this, that the system of the India Office, and the system of the Foreign Office, are very different. Under the India Office, an officer appointed to such a position as mine in Persia would be allowed a very considerable liberty of action. Having received his general instructions, it would then be left to his own individual responsibility to carry them out, by personal management and influence. Under the Foreign Office, on the other hand, he would be required implicitly to obey the rules and traditions of that office, which, as I have before explained, are hardly, I think, applicable to an Oriental court, although very well adapted to European diplomacy; and he would receive specific instructions on each separate question. That was one of the considerations which influenced me. But also, under the transfer, there was a change in the *personnel* of the establishment, and there was especially an abolition of the system of making presents, which, on accepting office, I had made a *sine qua non*, as I knew it to be a recognised Oriental institution, and as I considered it to be absolutely indispensable for the acquisition and the retention of an influence at the court, as indeed is felt and acted on by the Russian Government to the present day. I may also add, as a matter of fact, that under the liberal system of the India Office, which authorised my making presents on my own discretion, I had acquired a very considerable personal influence with the Shah, which certainly tended very much to facilitate the conduct of public business, and which, if any political emergency had occurred, might have been of very great national importance.

2191. Did the power of bestowing presents contribute materially to that influence?—Very greatly, indeed most essentially; because the system of making presents is not so much buying the good-will of the sovereign, as it is falling in with the habits and prejudices of the people, and doing what they believe to be only due and proper to the position of the ministers and the sovereign of a great state. Not giving presents is considered disrespectful, and to show a carelessness and indifference to the good-will of the state.

2192. Is it part of the etiquette and good manners to give presents?—Yes.

2193. To the sovereign himself?—To the sovereign himself. And knowing that I had, by making presents at first, and by personal management afterwards, acquired very considerable influence at court, and feeling that I should be unable to retain that influence, under the new system I really thought that, on public as well as private grounds, it was better to retire while the confidential position which I occupied with the sovereign was still unimpaired.

2194. Mr. *Eastwick.*] But not only with regard to the presents, but generally there is a difference between the administrators of Persian affairs under the Foreign Office and under the India Office?—There is the difference, which I have before noticed, of liberty of action. The India Office has no cut-and-dried rules and traditions within which officers are tied down.

2195. It is the fact, too, that any princes from the surrounding countries (for instance, from Affghanistan) who come to the court of the Shah, would, as a matter of course, bring presents with them?—Certainly. No envoy from an Oriental state, no prince or visitor, or any person of consequence, would be received at the court until he had gone through that necessary preliminary.

2196. While you held the office of minister, can you say whether the affairs that you had to transact were generally affairs relating to India, Affghanistan, and the East, or whether they had reference to the European states more than to the East?—Certainly, the principal and important business of the mission refers to India; but there occasionally arise European questions of some importance. I should say myself, from what I remember, that at least three-fourths of the Despatches sent from Teheran are connected, directly or indirectly, with India and Indian interests.

2197. And those affairs are the affairs of the greatest importance?—Undoubtedly; those are the essential duties of the mission. In fact, it is only owing to the geographical position of Persia as regards India, that it is of any importance to us. If we had no Indian Empire we should probably have no mission in Persia.

2198. When you were at the court of the Shah, did you ever hear any dissatisfaction expressed there at the superintendence of our relations with Persia having been transferred from the Foreign Office to the India Office?—No. I went out to Persia, through Russia and Turkey, as an envoy under the India Office, and I remained at Teheran after the mission had been transferred to the Foreign Office; but I do not remember, either in Persia itself or in Russia, or in Turkey, or in any of my dealings with the Persian ministers, or with representatives of European powers, that any distinction was ever made between the Queen's envoy accredited from one department or from another department of the State. So long as a Queen's envoy is accredited by a Secretary of State, I cannot conceive that it can make the slightest difference, either to the European powers or to the Asiatic powers, whether the commission may be granted through the Foreign Secretary or through the Indian Secretary.

2199. Were you sensible of any loss of influence with the Shah, or with reference to the

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other diplomatic officers there, owing to your having come from the India Office?—Most undoubtedly not. I am satisfied that no distinction at all is made in Persia between an envoy under the India Office and an envoy under the Foreign Office.

2200. In your opinion, would officers trained in India be as well able to manage such transactions as take place between our mission in Persia and the Russian and Turkish missions as European diplomatists?—There are very few matters really which come before a British Minister in Persia involving discussions with the representatives of the European Powers at the Court; but if such cases did arise, I can see no reason why an Indian officer of ability and experience should not be just as competent to deal with them as a trained European diplomatist.

2201. Do you remember any transactions of that nature while you were at Teheran, principally of a European interest and character?—I remember nothing, except the Turko-Persian boundary question, which ever came before me as a European matter, and that merely in an incidental way, as the measure had been almost completely carried out before I took office.

2202. There were no great questions with Turkey or Russia just at that time?—No, not in 1859 and 1860.

2203. Would you recommend that the junior officers of the mission should be taken from the Indian service, or from the European diplomatic service, with reference to the prestige or otherwise that Indian officers have acquired in Persia from the time of Malcolm to the present time?—I think that young Indian officers would be more valuable servants, as they take more kindly to the duties, and are better qualified in every respect.

2204. From the experience that you have had in Persia, would you say that officers who come from the European diplomatic service are as contented with their posts, and as desirous of remaining, as officers who come from the Indian service?—From my own experience I can say that the Indian officers make much better assistants at the mission, and for a very simple reason; namely, that to a young Indian political officer, service in the Persian mission is promotion, whereas, to an attaché from Paris or Vienna, it is banishment.

2205. Have you observed any inconveniences in our mission in Teheran, and our consulships at Tabreez and Resht being under the Foreign Office, while the control of affairs in the Persian Gulf, at Bagdad, and on the eastern frontier, is entirely under the India Office?—I do not think that it would be desirable, under any circumstances, to place the consulates in Persia under the India Office, because there is very little trade between India and the north of Persia, where the consuls reside; but I am clearly of opinion that there is very great inconvenience, and not only inconvenience but injury, to the public interest from a diversity of authority in conducting the relations with Persia and her immediate neighbours; for that diversity of authority not only delays and complicates business, but also it begets an antagonism of views, and even of interests, which is very deplorable. For example, at the present day, if we may judge from the tone of the Indian press, all the proceedings of Persia in reference to the Persian Gulf, or to the Eastern frontier, are looked upon in India with suspicion and disfavour, as opposed to the interests of the states conterminous with India, and with which India is more immediately connected; whereas, if our Eastern relations were all equally under the Indian authorities, (either at home or in India) it would be understood that the Viceroy was just as careful of the rights and interests of Persia as of her neighbours the Arabs, or Affghans, or Belooches. It must be apparent that this constant abuse of Persia, which takes place in the Indian press must produce a very bad effect in the country, and does, I have no doubt, very seriously cripple our minister's action.

2206. But with reference to the consuls at Resht and Tabreez, would there be any difficulty in detaching junior officers from the Teheran Mission, supposing it were under the India Office, to discharge the duties of those consulates?—That certainly might be done, but it must be remembered that there is no consular service in India. The consuls at Resht and Tabreez at present belong to a regular consular service. If they were under the India Office they would be isolated instances of consuls under that Office.

2207. Is not the consul general at Bagdad an instance also?—He certainly receives a commission as consul, but he is not appointed in the first instance by the Foreign Office as a consul. He is first appointed by the Indian Government as political agent, and then receives a consul's commission from the Foreign Office in order to enable him to attend to the consul's duties; the difference is this, that whereas the officers at Tabreez and Resht are essentially consular, at Bagdad the officer is essentially political, and is only consular for the convenience of the public.

2208. Do you see any objection to making the consuls at Resht and Tabreez similar to the consul general at Bagdad, that is to say Indian officers, giving them the commission of consul in order to admit of their discharging such duties as consuls have to discharge?—It would certainly be practicable, but I do not think it would be so advantageous as the present arrangements.

2209. Are you aware that there are questions now of great importance relating to the frontier of India and Persia, and to the Persian Gulf, the decision of which ought to rest entirely with the India Office, and in which references to the Foreign Office occasion delay and embarrassment?—There are pending matters of much consequence in reference to a disputed frontier in Sistan and Mekran, and also as to the claims of the Shah to certain islands in the Persian Gulf. I think it would be much better that all matters relating to the eastern frontiers of Persia should be dealt with by one authority.

2210. The Eastern frontier being Sistan and Mekran?—Yes.

2211. That is purely an Indian question, of which the Foreign Office can know nothing?—Certainly; but every reference which comes home from Persia with regard to those matters, is addressed in the first instance to the Foreign Office, and is then the subject of a lengthy correspondence between the India Office and the Foreign Office. That causes delay at any rate, and I think, moreover, that such questions would be more efficiently dealt with by one single department.

2212. In case of any serious complications arising, would military demonstrations be made from

from India or from Europe?—In all previous cases of disagreement between England and Persia, the demonstrations have been made from India, and I presume that the same course would be followed in the event of any possible future rupture.

2213. Would it be necessary to entrust the conduct of the expedition to the Indian Government, or would it be as well to give it altogether or in part to the Foreign Office?—I presume that the Indian Government must of necessity be the executive authority, organising the expedition, and supplying stores and material, and troops and commanders; but of course, as far as the political objects of the expedition were concerned, the India Office would take its instructions from the Foreign Office, or would at any rate consult with the Foreign Office before sending its executive instructions to India.

2214. How was the late war with Persia conducted; and are you aware in what manner the peace was brought about?—The late war with Persia was decided upon in the Cabinet, at the instance of the Foreign Office. That decision having been come to, the India Office sent instructions to the Government of India for the organisation and conduct of the expedition. At a later period the terms of peace were arranged by Lord Cowley, with the assistance of an Indian officer, Captain Lynch, of the Indian navy, Lord Cowley being instructed by the Foreign Office to negotiate with the Persian envoy, who was deputed to Paris for the purpose; and as soon as the peace was signed, the India Office sent out its instructions (of course with the approval of the Foreign Office) to the British Commander in Persia, to stay all further hostile proceedings. I believe that is the simple history of the war and the peace.

2215. Mr. *Otway.*] Were the good offices of the French Government tendered in that matter?—I do not think that the French Government interfered at all. Paris was only adopted as a convenient place for the settlement of the matter, because Lord Cowley had been cognisant of all circumstances of the war, and he was thought therefore to be the most fitting instrument to arrange the peace.

2216. Mr. *Eastwick.*] Were the services of that Indian officer that you have mentioned very important in assisting the nogotiation as interpreter?—Captain Lynch is an officer who has served for a very long time in Persia and the Persian seas, and is thoroughly well acquainted with the language, and an able man altogether, and I have always understood that his services in arranging the Treaty of Paris in 1857 were very important; indeed, so much so, that the Government made him a present of 500*l.* for his services on the occasion.

2217. The only actual war that we had with Persia was while the mission was under an officer brought up in European courts?—The only actual war that we had was during Sir Charles Murray's tenure of office; but there was a suspension of relations, and a hostile occupation of Karrack, while Sir John McNeill was Minister, who was originally an Indian officer.

2218. As a member of the Indian Council, I would ask you whether you think it reasonable that the whole of the charges in Persia should be borne by the Indian Exchequer?—I must say I think it unreasonable that all the expenses should be borne by one department, and all the control should be exercised by another department. It seems to me that that only can be justified on the assumption that the interests to be guarded in our relations with Persia are exclusively Indian, while the Foreign Office is alone competent to conduct those relations; and this I take to be a complete fallacy. At any rate, whichever department may ultimately be considered the best for managing Persian affairs, I certainly think that the payment and the control should be in the same hands.

2219. Are you aware whether there have not been some complaints from the officers of the mission at Teheran, as to the loss occasioned to them by the rates of exchange in payment of their salaries?—I am not aware of that; in my time I never heard of any complaints of the sort; and I am not aware that any such complaints have been made recently, but I do know that the currency in Persia has been very much depreciated of late.

2220. It is the fact, is it not, that the Russian Government send the whole of the salaries of their officers in Teheran in gold?—Yes, they are paid in gold forwarded by Government messengers.

2221. Mr. *Kinnaird.*] What is the practice of the Russian Government as regards sending ambassadors cognisant of Eastern affairs to Persia?—I think that the officers who have come to Persia from the Russian Government have generally served a novitiate in the Caucasus, or in Siberia, in Turkey, or in some of the *quasi* Eastern possessions of Russia, or Eastern countries bordering on Russia.

2222. Generally are they men of capacity?—I have known men of very great mark among them, like Count Medem, who was one of the first diplomatists of Europe.

2223. Mr. *Otway.*] How far do you think that the progress of Russia in Central Asia, and the increased communications of Persia with European courts, which has taken place since you were there, would modify your view as to our diplomatic representation there being under the Foreign Office?—I should say that the advance of Russia in Central Asia is a *raison de plus*, since it makes Persia and the Persian interests of very much more importance to us, in consequence of the increased pressure upon India. With regard to the increased tendency of Persia to adopt European customs and institutions, I really am not aware to what extent that has operated. I felt when I left Persia that they were on the eve of a transition state from the Oriental to the European type; but I hardly think that very much progress has been made in that direction as yet.

2224. Had Persia a Minister in Paris when you were at Teheran?—Yes.

2225. And at Vienna and St. Petersburgh?—Yes; at St. Petersburgh they have had a Minister for 30 or 40 years.

2226. In Vienna not so long?—In Vienna and Paris for the last 20 years, perhaps.

2227. I conclude that if a great difference arose between Great Britain and Russia on questions in Central Asia, those differences would have to be considered and settled by the action of the Foreign Office, not by that of the India Office?—Certainly, but the local interests in Persia, as connected with that advance of Russia, would be decidedly more Indian than European.

2228. You mean that you would press on

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Persia from India rather than from Europe?—Yes, certainly; but besides that, I repeat that the question would, in its general character, be more Indian than European. It would only be European in fact; that is to say, it would only affect England through India.

2229. Mr. *Kinnaird.*] Have any of the independent native states bordering on our dominions in India, kept up communication with the Persian Government by sending representatives?—Not at present. I think the Persian Government itself has recently sent an envoy to the Court of Cabul, but I have not heard that any return envoy has been sent to Teheran, and certainly there is no communication between Khelat or the Arab States and the Persian Court, in the way of sending envoys.

2230. During the war with us, did they attempt to send any mission to stir up the states that were bordering on us?—That is a matter that we do not think it particularly prudent or desirable to rake up, but there is evidence that, during the war, they did intrigue against us to a very considerable extent, and very naturally.

2231. And therefore it is of great importance that our Indian Government should be in the closest relations with Persia?—Yes. I may state that I am not alluding to intrigues with the neighbouring states, but to intrigues in our own territory.

2232. Mr. *Otway.*] Did you find any difficulty during your stay at Teheran in getting access to the Shah?—Not the slightest. I never asked to see his Majesty that I was not admitted immediately; the same day, or in a few hours. He would always see me, and I used to see him very frequently without the presence even of the Minister of Foreign Affairs.

2233. You spoke Persian?—Yes, just as I spoke English.

2234. *Chairman.*] You consider the knowledge of Persian indispensable there?—Yes.

2235. Mr. *Otway.*] The intercourse was carried on between you two?—The intercourse was carried on between us alone in the room; somewhat perhaps to the discontent of the Minister for Foreign Affairs, who found that Othello's occupation was gone, but certainly very advantageously to the conduct of business.

2236. Mr. *Rylands.*] I think you drew a very distinct difference between the diplomatic action in a despotic court like Persia and that in a constitutional court in Europe?—Yes.

2237. You would say, in reference to a despotic government, that the means of information and influence would be altogether very different from those in a constitutional government?—Yes, certainly.

2238. That personal means and secret arrangements would have to be used that might not be required in a constitutional government?—I refer mainly to the position of the sovereign, and the carrying on of business by direct personal communication with the sovereign, instead of through responsible ministers, or by the pressure of public opinion. That is the distinction which I draw.

2239. The fact is, that as regards the sovereign there is scarcely any operative public opinion in a despotic government like that of Persia?—None. The despotism of Persia is quite different from anything that we can conceive by comparing it with despotism in Europe, because in Persia there is absolutely nothing but the irresponsible will of the sovereign, who may send out and strangle any of his ministers at five minutes' notice, and sometimes does so.

2240. It becomes exceedingly important that diplomatic action, with such a sovereign, should be carried on in accordance with the experience that may be obtained at the particular court?—Yes.

2241. And such experience can hardly be obtained in Downing-street, I suppose?—It is not so much that the experience could hardly be obtained there if it were sought for; it is, that the traditions of Downing-street do not run in that groove; they refer to civilised diplomacy with cultivated European nations.

2242. But is it not the fact, that at the time that you were in Persia, before you wrote the official document to which you have alluded, from the action of the Foreign Office, you were led to suppose that they imagine themselves to know better how to manage affairs in Teheran than you did?—I suppose that that was their impression.

2243. May I ask whether you did not write home to the Foreign Office to say that you knew Persia better than the Foreign Office did?—No, I do not think that I ever wrote that; but really I should have no objection if the Committee think it desirable, to read the letter that has been alluded to. There is nothing, I think, compromising to any one in it.

2244. Is that the first letter that you wrote on that subject, or was there not a former letter?—This is the only official letter that I wrote on the subject.

2245. Did you not write any letter before that to Lord Russell?—This is the only official letter. I may have written private letters to Lord Russell, which are not on record.

2246. Mr. *Otway.*] Has that letter ever been made public; ever been moved for?—I do not think that it has. It is a public letter to Lord Russell at the Foreign Office, and is as follows: "Teheran, 20 February 1860.—My Lord, When I accepted the appointment of Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia, in the spring of last year, I had no personal object to serve, either of advancement or emolument. I took office simply as a matter of public duty, in connection with my immediate line of employment. As I had been for more than 28 years in the Indian service, and for four years in the Indian Department of the Government at home, it seemed to me to be in harmony with my previous career that I should take on myself the duties of the Teheran Mission, under the direction of the India Office; and I also thought that as the conduct of our relations with the Court of Persia would, under the control of the India Office, be naturally placed on the same liberal footing, in regard to presents, and contingent expenditure, which, in deference to Oriental usage, is sanctioned for all other diplomatic establishments in the East, I might be able to recover for the British Mission at Teheran that influential position which it formerly occupied, and thus do good service to my country. These views, however, have been entirely altered by the re-transfer of the Persian Mission to the Foreign Office, and the instructions consequent on that re-transfer, which are communicated to me in your Lordship's Despatches, No. 1 and No. 4, of the 1st and 12th ultimo,

ultimo respectively. In the first place, I find myself taken out of the line to which I belong, and attached to a department on which I have no claim, and with the regulations and traditions of which I am comparatively unacquainted; and, secondly, I am required to observe certain principles of action as established for the general guidance of Her Majesty's diplomatic service, which I conscientiously believe to be inapplicable to Persia, and to be incompatible with the acquisition or retention of influence at this court. As the conditions under which I took office have been thus essentially altered by circumstances beyond my control, and as I can no longer indulge a hope of being able to serve in this country either with credit to myself or with advantage to the Government I take this first opportunity, after being officially informed of the retransfer of our relations with Persia to the Foreign Office, respectfully to tender my resignation of the post of Her Majesty's envoy extraordinary and minister plenipotentiary at the court of the Shah. It will rest with Her Majesty's Government to decide on the exact period of my retirement from the charge of the Persian mission. If your Lordship should be pleased to dispense with my services at once, I shall be glad to move from Teheran before the hot weather sets in. If, on the other hand, there should be any matter of urgency which may require my presence, or your Lordship should think it desirable on general grounds that I should wait to be relieved by the minister who may be appointed to succeed me, then I shall be prepared to remain the summer at Teheran; and, under any circumstances, I shall, of course, consider myself bound to follow out, with the utmost exactitude, your Lordship's instructions with regard to presents and economy of expenditure, during my remaining brief tenure of office.—I have, &c., *H. C. Rawlinson*, Envoy and Minister."

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2247. Mr. *William Lowther.*] With reference to those personal interviews that you had with the Shah, was it usual for the foreign ministers to have their interviews with him without the presence of the minister of foreign affairs?—No, it was not.

2248. An exception was made in your favour?—Yes; I may explain that the minister of foreign affairs does always accompany to the presence, but the king may take you, or at any rate used to take me, into an inner apartment, and leave the foreign minister outside.

2249. Used he to remain in the room with other foreign ministers who had interviews with the Shah?—Always.

2250. Therefore you consider that you had advantages over other foreign ministers?—Yes.

2251. Viscount *Barrington.*] I think you stated that one of your reasons for giving up the post of minister there, was the discontinuance of the presents from this country to Persia?—Yes.

2252. Has that system been continued by France and Russia, although not by England?—By Russia to the present day, certainly; by France in a more modified way. The French have no very strong interest in Persian affairs; their mission is on a smaller scale, and they have never given extensive presents, although the system is admitted by them.

2253. Any return presents are made to the Government, not to the minister, I presume?—They are made to the Government.

2254. Mr. *William Henry Gladstone.*] Were the presents that you took out very costly?—No; I only took out 1,500*l.* worth of presents to the king.

Monday, 2nd May 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Rylands.
Mr. Arthur Russell.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HON. EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDWARD HENRY Earl of DERBY (attending by permission of the House of Lords), Examined.

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2255. *Chairman.*] YOU have been Secretary of State for Foreign Affairs?—Yes; for about two years and a-half.

2256. Previously to that, I think, at one time, you were Under Secretary of State?—For a very short time, between six and seven months.

2257. You are aware, therefore, generally of the working of the system of the Foreign Office, and the diplomatic service?—I have had some opportunities of becoming acquainted with it.

2258. The entrance into the service, as we have been told, is now by a limited system of competition, there being a certain number of nominees?—That is the case in regard to the entrance into the Foreign Office.

2259. The entrance into the diplomatic service is by simple examination, a test examination, without competition?—Yes.

2260. Subsequently followed by a further examination, is it not?—Yes.

2261. Had you anything to do with the establishment of that system?—No, I had not; I took the system as I found it; I considered it to work satisfactorily upon the whole; I heard no complaints against it, and I made no alterations.

2262. You found it so, and left it so?—I found it so, and left it so.

2263. Were you very much beset with applications for nominations to the diplomatic service?—No, and that struck me as a rather remarkable fact, considering the great anxiety which seems to pervade the public, with regard to getting admission to most branches of the public service; whether it is that there is an idea (which I cannot say is an ill-founded one) that diplomacy is a profession which does not pay in a pecuniary sense, and which is therefore not very convenient for a poor man to go into, or whether it is the banishment from England that is objected to, or whatever may be the reason, there certainly is no very general desire to enter that service.

2264. Were you able to make any comparison in that respect between the applications for entrance into the Foreign Office, and those for entrance into the diplomatic service, so as to see whether there was greater pressure to get into the Foreign Office than to get into the diplomatic service?—My impression is that there is decidedly much greater eagerness to get into the Foreign Office, or any public office here, than to get into the diplomatic service.

2265. Are you inclined to attribute that to the insufficient remuneration of the diplomatic servants, or to the other discouragements of that service?—I am not prepared to call it insufficient remuneration, because, though the pecuniary inducement is not great, we still have a sufficient supply of men for the service. I should rather put it down to the other causes which you have indicated.

2266. You found no actual deficiency in the supply of competent qualified men?—No.

2267. Men whom under any circumstances you would be glad to appoint to that service?—Yes; I should say that I was never driven to nominate any persons whom I did not think competent, merely by the absence of other candidates.

2268. Are you inclined to approve of that mode of entrance into the service, or to recommend any change?—The general bias of my mind is favourable to competition, at least to competition of a limited kind; and for this reason, that competition makes it easier to keep up the standard of qualification. It has been often argued, and argued I think with great justice, that where the question is merely between one candidate and the public, there is always a tendency on the part of the examiner to lower the bar, so to speak, to let him in more easily; but if it is a competition between three, two of whom must be disappointed, there is no such feeling or bias on the part of the examiner, and the standard of qualification is generally higher. But of course if you are to have a limited competition it is absolutely necessary that that should be accompanied by a minimum standard of qualification. If that is not done, you may have one unqualified man get in merely because he is competing with two who are more unqualified than himself.

2269. That is the standing objection which is taken

aken now to limited competition; that it is possible to handicap the men so that one of them is ure to win?—There is no doubt, if you assume hat a minister is desirous of evading the spirit f a rule, that he can do so; but, as a general ule, I should apprehend that a minister will not e sorry to oblige three men instead of one, and e will say say that, as between themselves, they nust settle it in the best manner they can.

2270. Therefore, abstractedly, I understand ou to prefer the Foreign Office system of enrance rather than the diplomatic service system? —I think that the Foreign Office system of enrance has worked very well. The doubt that as arisen in my mind as to applying the prinple of limited competition is merely this: I am ot quite sure whether you would have competiors. Of course competition, if competitors do ot come forward, reduces itself to simple nomiation, and that not the best kind of nomination, ecause the minister appointing, in that case feels imself less responsible.

2271. That is in consequence of what you reerred to just now, namely, the diplomatic service eing less attractive than the general public serice?—I do not think that it is so attractive, omparing it with the eagerness that exists to nter other branches of the public service. I do ot think that there is much eagerness to enter he diplomatic service.

2272. A good deal has been said to us about he social position which it is said to be necessary hat the gentlemen nominated to the diplomatic ervice should occupy, and that it is necessary, herefore, that they should be selected more or ess from one class of society; is that your pinion, or do you think that it might be thrown pen?—I think that it is very essential that they hould be, in every sense of the word, gentlemen; mean by that, men of refined manners and ultivated minds.

2273. There has been a suggestion that a uniersity degree should be rather a qualification or a nomination; has that ever been suggested o you, or considered by you?—No, and I should ot be inclined to favour that suggestion. I annot say that I have ever considered it very eriously, but I do not see that a university deree proves much in any way; the ordinary pass egree at Oxford and Cambridge is certainly no est of any very high acquirements.

2274. It is no test of the higher qualities of a an, as contrasted with his literary attainments? —No, I am afraid that when you are speaking f the case of a young man who has had no opportunity of making himself known in the world, ny test which you can apply, must necessarily e a very imperfect one; you cannot tell with ny certainty how a man will turn out.

2275. Then I think I collect on the whole, hat you are prepared to say that the present ystem of admission is, from your experience, a atisfactory mode, and you would not be disposed o make a change in it?—I can only judge the ree by its fruit. I should say that, taking it upon n average, the personnel of the diplomatic serice stands decidedly high; there are many men n it whom I should consider, with the experience which they must necessarily have acquired in the ischarge of their duty, quite fitted for the highest ost in the service. With regard to those who ave entered within the last two or three years, ne cannot speak with the same certainty, because hey are not in a position in which their qualifications can be very generally tested; but as far as I am able to form an opinion, I should say that the average qualifications of the service are high.

2276. There are great complaints, we are told of the slowness of promotion in the profession, that now it has become almost a seniority profession, and that the consequence is, that the rise to the higher grades is extremely slow, and that that is extremely discouraging; have you given your attention to that at all?—I have heard that often stated, and to a certain extent of late years it is the truth; but I am bound to say that as far as I have had any opportunity of becoming acquainted with the state of things in other professions, I have heard the same complaints there also. I think that if you take men at a certain age, say 40 or 45, and see what position they hold, and what emoluments they are receiving, the diplomatic service does not compare unfavourably with other professions, certainly not with the army or navy, and probably not with the civil service at home.

2277. Foreign service begins, as you are aware, with no payment at all; there is a period without any salary, then a low one, then gradually a rise? —Yes.

2278. It has been stated to us, that great discouragements are caused to the younger members of the profession, in consequence of the very distant hope of promotion; you think that that is not peculiar to that branch of the public service?—I think in the first place that it is not peculiar to that branch of the public service, and in the next place, I think that you must allow for a rather temporary and exceptional state of things. Within the last 10 years, there have been missions suppressed at Turin, at Naples, at Dresden, at Frankfort, at Hanover, and temporarily at Mexico; that is six missions which have been swept away, and of course that implies a corresponding diminution of appointments in the lower grades.

2279. What was the doctrine which you held as Secretary of State in regard to promotion; did you look upon it as if there was a claim to promotion by seniority, or that it was a system of selection for the chiefships?—I hold that any system is unsatisfactory which does not take into account both the principle of seniority and the principle of selection. I cannot conceive anything more unworkable than a system absolutely confined to seniority. In point of fact that never has been the practice in the diplomatic service, or, so far as I know, in any service as regards the higher grades. On the other hand, I think that other things being equal, seniority should be considered in the case of two men who are equal or even nearly equal; I should undoubtedly prefer the claims of the senior, because, I think that a man is entitled in fairness not to be passed over unless for very obvious reasons of public advantage. I should say, therefore, that the system adopted ought to be that of selection in which very considerable attention is paid to the claims of seniority.

2280. Selection with due regard to seniority? —Yes; that regard to seniority, let me add, becoming less in proportion as you rose to higher grades.

2281. It would appear, as far we can collect, I think, from general statements that in recent times the tendency has been more and more strong to look to seniority rather than to selection;

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tion; do you think that there was anything of that kind in the Foreign Office during your headship of it?—No, I should not say so; I should not have hesitated to pass over the claims of seniority where there was a case of very superior ability.

2282. And with regard to the introduction of gentlemen from without the profession into the higher ranks in it, had you any occasion, during your chiefship, to exercise that duty?—I did not do so. I may say that that is about the most difficult question, as connected with the service, that I know; and it is, perhaps, of all, the question which most admits of being argued on both sides. On the whole, I think it is best to leave it in this way: that, as a general rule, men who are actually in the service should be entitled to look forward to the higher posts in the service; but it should be clearly understood that the power rests with the Secretary of State to appoint an outsider if, for any special reason, he thinks fit to do so. I would make appointments within the service the rule, and appointments from outside the exception.

2283. Then I rather understand, from what you say, that you consider that the block, as it is called, in the service, is of a temporary character, and is more or less unavoidable, and does not call for any immediate or urgent remedy; is that your opinion?—Yes; that is my opinion. The remedy which it calls for is a very simple one; that is, not unduly to multiply the number of new appointments.

2284. Not to put too great a number of fresh men into the service?—Yes. I may say that, during the two years and a half when I was at the head of that department, I took care to keep the number of new admissions very considerably below the number of vacancies.

2285. Your Lordship is aware, of course, that the missions require a certain number of younger men to do the work?—They do.

2286. Has it ever occurred to you that that number could be safely reduced in the principal missions; because we had a suggestion from Sir Henry Elliot that he thought it quite possible to reduce the permanent younger members of the larger missions, and have a sort of flying squadron of gentlemen who might be detached from the Foreign Office for special duty, in case of extra pressure in any one of the missions?—I do not feel that I could speak with any authority on that point; you would get that much better from the heads of the missions, who know of their own knowledge what has to be done there.

2287. We had a suggestion, too, that to a certain extent the pressure in the lower grades might be relieved by transferring some of those who showed themselves less disposed or less competent to advance in the diplomatic profession to the consular service; has that ever been suggested to your Lordship?—There is no rule that prevents that being done at present. The objection to it, looking at it from the point of view the consular service, is that it would be hardly fair upon the interests of that service to use it as a place into which you might draft off those who are not likely to be successful in diplomacy. But it may very well be that a man under certain circumstances would prefer the inferior position of a consul and the consular duties, with a certain fixed remuneration, to the uncertain prospect of rising to a higher grade in diplomacy. In that case I think he would be neither a better nor a worse consul for having been in the diplomatic service; and I would take his claims and consider them exactly as I would consider the claims of any other person.

2288. Would you be in favour of a more general fusion of the consular and diplomatic services for the interchange of servants and duties because there has been a suggestion thrown out that consular servants should be more of the nature of diplomatic servants as they are in the French service?—That is exceedingly difficult to answer. The French are undoubtedly very successful in the art of administration, and anything which comes to us sanctioned by their authority is entitled to much consideration. But you have such a mass of existing interests to deal with, apart from difficulties of any other class, that for my own part I never did see my way to a conclusion of that kind. Perhaps I might say upon that point that the first step as it seems to me would be to organise the consular service a little more than it is at present organised. The great deficiency of the consular service is that there is no security for a man who gets into it and does well that he will get promoted to a better post than that which he holds. I endeavoured as far as I could to remedy that defect by appointing, whenever an eligible consulate fell in, preferentially, some one who had done his duty well in an inferior post; but there has been no established rule of that kind, and therefore no man who enters the consular service has any assurance of getting on.

2289. There is no regular routine of promotion in that service?—No.

2290. Did you take occasion when you were at the Foreign Office, at all to consider the expenses of the diplomatic branch, or to enter into the question of whether the salaries were adequate or inadequate?—I received continual applications and continual complaints from most parts of the world, more I think, perhaps, from the consuls than from the diplomatists, but still from both; and the plea put forward in every case was the same, that, whether from the habits of modern society, or from the diminished value of money, living had become enormously more expensive within the last 20 years; and, therefore, that the salaries which were fixed 20 or 25 years ago, did not now represent the same spending power as they represented when first fixed at that rate.

2291. Is your Lordship disposed to believe that those representations are substantially founded in fact, and that it is the case that the same nominal salary has a less purchasing power to a very considerable extent now than it had 20 years ago?—I have no doubt whatever about that; of course there is the further question, whether the salary was first fixed at a higher rate than necessary; but if you assume that 20 years ago, at any European capital a certain rate of salary was properly fixed, there is no question that that post has very greatly diminished in value in the interval.

2292. I do not know whether your lordship has seen the answers addressed to the Foreign Office by our representatives abroad on the subject?—I have seen them, but I am not prepared to speak on them.

2293. The representations from all parts of the world, contained in those reports, seem all to be in the same key, as to the disproportion of their salaries to the expenses of the office?—Yes.

2294. You are not disposed, therefore, to say that the salaries are more than adequate now looking at that state of things?—No; unless you tak-

xe an entirely different view of the functions a diplomatist, and the social position that he ould hold, I do not think that you should duce them. There are places where it is torious no man can serve without trenching very nsiderably on his private income. Washington a case in point.

2295. I imagine that that has been more or ss true ever since the diplomatic service be- me a permanent branch of the service of the rown?—I think that very possible.

2296. You said that unless there were a orough change of the whole system of our plomatic arrangements, the salaries could not reduced; are you prepared to suggest a ange of that kind yourself with regard to laries, so as to put the system on a different oting?—No, I am not. I should attach great nportance to this; that English diplomatists ould be in the same general position, and upon ie same footing as those of other great European owers. I do not think it would be at all emly or conducive to the interests of this ountry if, while the other great powers main- ined, at any court, an ambassador with a high alary, we were to maintain a minister with a alary of a consul general; that is to say, a man ho would be in an entirely different social osition.

2297. Your Lordship will not be prepared to pprove of the American scale of salaries, and he system which they have established with egard to their diplomatic service, as compared ith ours?—Their system is altogether different n this respect, that they have no permanent iplomatic service.

2298. Their ministers are occasional nominees aken from the world at large?—Men who are ent to fill a particular post, who never were di- lomatists before, and who may never be diplo- natists again.

2299. And do you think that that system com- pares advantageously with our system of having a egular profession?—No, I think that, other things eing equal, a man does best the work which he as been trained and accustomed to do.

2300. During your service at the Foreign Office, id your Lordship ever consider that question of he number of ambassadors at the great courts of Europe, whether they can be reduced, and minis- ers plenipotentiary substituted for them, or did ou take that as you found it, and leave it so?—I aw no urgent reason to make any alteration, the aving would not be very considerable, and in oint of fact the change could only be made at a ime when a change of individuals took place; ou could not say to a man who had been serving s an ambassador at a certain salary, that from the eginning of the next year he should be reduced o serve as a minister with a much lower salary; uch a course would be unfair to the individual, nd prejudicial to the service.

2301. Is the difference in salary more than ompensated, in your Lordship's opinion, by the uperior advantage of having a great officer of State representing the Crown in the great courts f Europe, or should you say that it was of equal dvantage to the public service that this country hould be represented by ministers plenipoten- iary, or by ambassadors?—I think that we ought o keep our establishments in that respect gene- ally on the same footing as those of other great owers; I think if the French send us an ambas- ador here they would naturally expect that we should send them an ambassador in return. Whether, if all the great powers agreed that a minister would do as well as an ambassador, that change might not be made, I do not say, but I think, we ought not to make it alone; I ought to add that by international usage an ambassador has the right of claiming a personal interview with the sovereign, and so long as personal government in any form continues to exist in Europe, that privilege may be very important.

2302. That is a distinct advantage possessed by reason of having an ambassador at any court?—It is.

2303. We have had a suggestion made, that it would be a considerable advantage at the chief missions, to have a permanent officer in charge of the records, who would take care of the records, and keep alive the tradition as it were of the mission; has that ever been considered by your Lordship?—It has not been considered by me with the view of practically adopting it; but I do not see upon the face of it, any objection to that proposition, and I can see some advantages in its adoption.

2304. We have been told that there is a hardship upon the chiefs of missions in the system of leave of absence, that those who are at a distant mission particularly, can scarcely get the absence which is requisite, really to keep them *au fait* with the state of things here, without sacrificing a considerable amount of their emoluments; has that point ever been considered by you, and have you ever had such complaints from the chiefs of missions?—No; I should look upon a demand of that kind simply as a demand in another form for an increased salary, because you may assume as a matter of course, that every minister will claim and take his leave of absence, except in exceptional circumstances.

2305. But two months' leave of absence from Paris is a very different thing from two months' leave of absence from Buenos Ayres or Washington; one ground of complaint, as I understand is, that there is no scale according to distance, and that one minister may take a great part of his stated time of leave on the journey, while another may do it in a couple of days; has that ever been represented to you?—I never heard it made a grievance; and if you look at it from the point of view of the missions, those interested in the mission, say, at Buenos Ayres, being kept up on an efficient footing, might reasonably say that they do not see why their representative should be absent from his post more than double the length of time which would be allowed to a representative similarly situated in Europe. The grievance reduces itself to this, that a post at a great distance from England is more disadvantageous than one near home; that is undoubtedly the case, and the remedy, I think, is to promote men from the less advantageous posts to the more advantageous posts, if they have done their duty in the former.

2306. That is practically what is done by the heads of the Foreign Office, rather to consider the superior European missions the great prizes of the profession?—Certainly.

2307. I think there was a change made during your Lordship's chiefship of the Foreign Office, with regard to the Persia mission, was there not, by transferring it to the India Office?—No; but when I was at the India Office in 1858, Lord Malmesbury, who was then at the head of the

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Foreign Office, wished to transfer, and did transfer Persia to the India Office.

2308. That was done with your Lordship's full knowledge and consent, no doubt?—It was done with my full knowledge and consent.

2309. Was that after consideration of the question with Lord Malmesbury?—Yes.

2310. Do you recollect the reasons on which that was grounded?—That Persia fell rather within the Indian than within the European system.

2311. That, of the two, it was more advantageous to the public service that it should be under the Indian Secretary than under the Foreign Secretary?—Yes.

2312. And, practically, in the working of the thing, was it found to be so according to your experience?—My experience at the India Office was short, it did not extend over more than a twelvemonth, and nothing occurred during that time of any particular importance in Persian affairs; but I should say that the distinction was not so great as it may appear, because, whatever is done in Persia it is most essential that both the Indian and the English Governments should be informed of it. If it is worked by the India Office, it is absolutely necessary that the Foreign Office should know everything doing there; and so conversely, if it remains as at present in the hands of the Foreign Office, it is essential that the India Office and the Indian Government should be minutely informed of what passes.

2313. The Persian question touches Home politics and Indian politics both?—Exactly so; perhaps the strongest argument for transferring it to the Indian service is this, that it is a very out of the way place, and requires, to fill it satisfactorily, acquaintance with Eastern languages and with Eastern habits, which you cannot generally expect to find among English diplomatists, and which you do often find among Indian public servants.

2314. Had you any occasion to make any appointments in Persia yourself?—Yes; I sent Sir Henry Rawlinson there.

2315. Your opinion upon which you founded that change, in conjunction with Lord Malmesbury, I understand, is one which you still entertain?—I have no very strong opinion on the subject; but, on the whole, I am inclined to prefer the system which places Persia under the India Office. I may say that I did not attempt to move in the matter during the time when I was at the head of the Foreign Office, because the change that was made by Lord Malmesbury in 1858 was reversed by our successors in the year following, and it seemed to me that if there was that difference of opinion, it was better to go on with the system as I found it than to have perpetual changes made according to the opinion of every successive Government.

2316. Are you aware at all of the circumstances under which and the reasons for which that change was made by the Government that succeeded you?—No.

2317. By whom was it made?—It was done by Lord Palmerston's Government.

2318. Lord Palmerston's judgment and opinion on a matter of that kind would be of very great weight, and his authority very high, I presume?—Undoubtedly.

2319. Mr. *Rylands.*] I think I understood that you considered that it might be an advantage if competition were applied under proper regulations, to the admission of attachés to the Foreign Office?—Are you speaking of limited or unlimited competition?

2320. My own feeling is in favour of a system not of limited competition, but of wider competition; and it is in that direction that I wish to ask you whether you do not think that there should be a system of competition wider than what is known as limited competition, but still under certain regulations which might prevent its being absolutely open competition?—In that case everything would depend upon the regulations. Limited competition and unlimited competition differ from one another widely in principle. In the case of a limited competition, it only differs from a nomination in this way, that a minister nominates, say, three persons, any one of whom he thinks fairly competent, and leaves them to fight it out between themselves as to which shall be the winner. In that case the responsibility of the minister remains, and is hardly weakened, because, if the person is unfit, he ought not to have given him a chance of succeeding to the place. On the other hand, unlimited competition (the propriety of which is a very large question to discuss) relieves a minister from all responsibility whatever.

2321. As a matter of course a limited competition, with three names sent to him, is a very different thing from a limited competition with 300 names sent to him?—Yes.

2322. Supposing a system were adopted which without opening it to all the world, secured such a large amount of competition as would necessarily compel a person going in for examination to attain a high standard, would not that meet your view, so far as opening the service went, and at the same time provide suitable persons for appointment?—I should like to see the regulations before I could give an answer upon that point.

2323. Your Lordship said, what I am sure we all quite believe, that the present system has had the effect of introducing into the service a number of persons who are, in every point of view, in character and attainments, gentlemen; but I think I gathered from your reply that you would consider that we might have men equal to them in gentlemanly character and attainments, who might not have the advantages of political interest, or the interest arising from birth?—Certainly, when I said that an English diplomatist ought to be in every sense of the word a gentleman, I did not at all refer to his birth, except so far as it is necessary that he should have had a good education and general culture.

2324. And that good education and general culture would, in your opinion, be likely to lead to the refined and gentlemanly manners which would be required in the position of a member of a foreign mission?—That is a very vague and general question. I should have no wish, if the honourable Member puts it in that way, to confine the diplomatic service, and practically, I think, it is not confined, to any one class in the country.

2325. Are you aware that under the present system, the effect of it is that a very considerable proportion of the members of the diplomatic service belong to families of considerable position in this country, or to families possessed of a considerable amount of wealth?—Well, as long as diplomatists occupy the position that they do, you will only have the alternative of taking men who have some private means, or of considerably increasing the salaries.

2326. That

2326. That is to say, so long as you do not give aries equivalent to the work that you require m the officers of the service, our officers must essarily supplement those salaries by their vate means?—I think that, as a rule, under present state of things, it is a very unwise ng for a man without any private means to into the diplomatic profession.

2327. But would your Lordship be good ough to give us your opinion as to whether you nk it desirable that we should have a system, ich practically excludes all those who are not the possession of other sources of income?—will be for the House of Commons to consider v far an increased expenditure upon the diplotic service is desirable.

2328. If it were so arranged that the members the diplomatic service were paid in accordance h the duties that they performed, then I think ur Lordship will see that it would offer a very nsiderable argument in favour of opening the vice to everyone who might present himself h sufficient qualifications; at present, perhaps, ere is less objection to it, it being a close ser-e in consequence of the fact that men have to ke use of their private means to eke out the aries; but supposing that it were a service perly paid, then, I think, you would agree with that to make it a close service would naturally eate a considerable amount of public complaint? Undoubtedly, if the appointments were much tter paid than they are at present there would a more general competition for them.

2329. It would be expected that men who cepted those salaries should get into the ser-e in an open manner, and should do a sufficient nount of work, when in the service, to justify e payment of the additional salary?—I should t like to be understood as implying that ose who are in the service do not at present do sufficient amount of work to justify their aries; you must remember that by the very ture of the case, work done by all diplomatic rvants at difierent times is exceedingly fluctua-ng.

2330. That is, no doubt, very true; but is it ur opinion that the present officers connected th missions abroad have their time fully occu-ed, and do as much work as could be reasonably pected from better paid servants?—As a gene- rule, I should say that they do as much work can be expected from them. There has been great deal done in the way of drawing up re-rts, and so forth; and I must say that those ports appear to me, for the most part, to be very ll executed, and to be very valuable and in-uctive; and, in addition to that, you must con-er that there is a great mass of work done at ery mission and every consulate abroad, of which u never hear anything at all; complaints that brought to the minister, or to some one ing for the minister, and that are settled on e spot.

2331. There can be no doubt about that, but, the same time, I think I may assume that if ere are three men engaged as secretaries of gation doing a certain amount of work, it is rely possible that two men or even one man ght do all the necessary work of the legation he gave a sufficient amount of time and atten-n to it?—If I understand the honourable ember, he is putting it in this way: Would it t be better to reduce the numbers, and to work every individual at all times up to his full powers?

2332. It is in that direction that I am putting the question; to pay those whom you employ better, and try to get more work out of them?—The difficulty of that is, that if in a time of calm you are working every man in the service up to the utmost that he can do, you would have no reserve force, so to speak, for a time of emergency.

2333. But do not you think that in a time of emergency there might be arrangements made under which clerks from the Foreign Office would be sent abroad to assist foreign missions?—In the diplomatic service a crisis arises so suddenly that I think it would be difficult as a rule to meet it in the way that the honourable Member proposes.

2334. But is it your opinion that at the present moment the staff at the legations is sufficient to meet every extraordinary pressure upon them?—I should view it in this way: as a rule the pay is low; the work that is required of the individuals for that pay, though it keeps them fairly well employed, is not severe; there is a reserve strength, so to speak, which can be utilised when it is wanted; they are able and willing to work harder than they do at ordinary times, when the necessity of the moment demands it.

2335. And you are aware that the effect of all that is that we have a large number of juniors in the service who are badly paid, and who are now complaining very much that they have no reasonable prospect of promotion?—I have already stated that in my belief, so far as the complaints of want of promotion may be held to be well founded (because such complaints exist more or less in all services), they arise out of the peculiar circumstances of the last 10 years, during which time a large number of good appointments have from political changes been suppressed and have not been replaced by others.

2336. There are a very considerable number of secretaries of legation, and second and third secretaries and unpaid attachés upon the Foreign Office list; secretaries of embassy five, secretaries of legation 23, second secretaries 34, third secretaries 13, and attachés 14, making a very large number, even allowing for these missions that have been suppressed, that still continue on the list of juniors; I think, therefore, you will see that there would be very little hope of promotion for the men in the lowest positions, if they are to be taken according to seniority?—In every profession that difficulty arises; you have more midshipmen than admirals. You do not require the same number of persons in the higher grades of any service that you do in the lower grades, and, therefore, at some one stage the pressure is felt, and it generally happens that a cetain number of individuals leave the service; that has been very much the case in the diplomatic service. It was very common for young men to go into it for a few years, not intending to make it a permanent profession, but simply as a useful occupation and as a means of education.

2337. Does your Lordship think that it is for the public interest that the men should go into the service with expectations not having reference to their future utility in connection with the service?—Yes, I do. You get their services as long as they are in the profession; you can make them work as you make any other men work; you get their services when they are

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wanted as juniors, and when they cease to be juniors they take themselves out of the way and do not increase the pressure for the higher posts.

2338. But still, I think, you find that in all other branches of the public service it is held that if a man has had good training he makes a more valuable public servant the more experience he possesses?—No doubt; but unless you reduce the number of attachés to the number at any one time of ministers, in which case they will not be sufficient in numbers to do their work, you will always have a certain number of attachés who will not succeed in becoming ministers.

2339. But if you reduced the number of juniors they might get promotion up to secretaries of legation, or secretaries of embassy; and it seems now that there is very little prospect, on the part of the junior members of ever reaching the post of secretaries of embassy and of legation; that is the complaint?—I am bound to say that to my mind it is exaggerated; of course much will depend upon the ability and energy of the individual.

2340. In reply to a question of the Chairman's, I think I understood your Lordship to say that the promotion in the service, in your opinion, should be according to seniority and selection combined?—Yes.

2341. Other things being equal, secretaries should be promoted by seniority; but that there should be an opportunity of rewarding, by promotion, any extraordinary merit?—Yes, I would wish to qualify that by one observation, namely, that I think when it comes to a question of the higher grades, such as ministers and ambassadors, I should attach very little importance indeed to seniority, and look almost exclusively to the ability of the individual.

2342. I quite understood that distinction; I think I may ask you whether at the time that you held the seals of the Foreign Office, there was any case of a secretary of legation being promoted in consequence of meritorious conduct?—I made several changes, several promotions as vacancies occurred, and I certainly did not hold myself bound to follow, nor did I follow the rule of seniority.

2343. In regard to second and third secretaries and secretaries of legation, we have been told that the practice of the diplomatic service has been to appoint by seniority alone?—I understood the honourable Member to be speaking of secretaries of legation.

2344. I was speaking of second and third secretaries of legation; of men being promoted from the third to the second, and from the second to the first secretaries of legation; and my question was, whether any case in your recollection occurred in which a third secretary of legation, for instance, was raised to a second secretary, or a second secretary appointed as a first secretary on account of merit?—I dare say not; it would be extraordinary merit that would justify such a departure from the rule. The difference between the position of second or third secretary and the position of secretary of legation or embassy, is this, that in the latter case, the man is more or less brought under the observation of the Foreign Office directly. A secretary of legation is generally during some part of the year left in charge; then he is acting for the minister, and if anything occurs, you see what he is made of; he writes the despatches himself, and he becomes known, and the Foreign Secretary has opportunities of forming a personal and independe judgment of what his value is. But in the c of a second or third secretary, he is so entir under his immediate chief that nothing can known about him, speaking generally, at t Foreign Office, except through the medium that chief. And applying generally the princi of selection in preference to those lower gra it would merely come to this, that they wo rise according to the favour of their chiefs.

2345. But is not it a reasonable course t the promotion of a secretary serving under a ch should depend, to some extent, upon the g opinion of his chief?—I do not object to th but I may observe that there is this differen that in the one case, the foreign secretary is s ing entirely with other men's eyes, and in t other case, that of the secretary of legation embassy, he is able to see with his own.

2346. But if the junior members by merito ous conduct under the eyes of their chiefs, mig expect to be in the line of promotion, is it r reasonable to suppose that they would have inducement to perform their duties in an effici manner, which they do not possess at the pres time?—I do not think that a man who sho marked ability or willingness to work, has a reason to complain of the present system; th are many ways in which he may be noticed put in the way of promotion; one post is bet than another; at one post, there are more opp tunities of educating yourself for the high places, than at another; and I think there wo be a wish, as a rule, to put the best man, if y can find out who he is, in the place where would have the greatest opportunity of traini himself to future service.

2347. I suppose your lordship is aware t complaints have been made to the Foreign Off from heads of missions, as to their want of c trol over their subordinates in consequence their not having a voice in their promotion? Speaking from memory, I do not recollect t any such complaints have been made.

2348. There is a complaint from one or two the missions abroad in the Appendix of the Dip matic Committee of 1861, of want of subor nation, in consequence of the fact, that the c had not any authority to recommend promoti and that, in fact, the under secretaries of legat do not depend at all upon their chief for pro tion, but entirely upon the judgment of Foreign Office; I suppose that your experie would confirm, so far as the action of the dip matic service is concerned, the statement t the chiefs of missions do not report upon the c duct of their subordinates?—Yes; but if there a question of removing a subordinate from c place to another, undoubtedly a minister wo like to know what the chief thought of him.

2349. We have been told by Mr. Hamm that the practice at the Foreign Office has b not to ask the chief what he thinks of the sub dinate, but to trust to information that reac the Foreign Office from travellers, and ot chance means of information. In Question 3 Mr. Hammond was asked this question by m "You said, speaking of the Foreign Office, ' have the means of taking the measure of fore secretaries,' but are not those means necessa limited"? The reply was, "No, almost all people know each other, and if any person w decidedly wrong, we could hardly fail to hear In my own case, since I was Under Secreta someth

omething was told me respecting some person mployed abroad, indeed twice that has happened me; and on both those occasions I gave a iendly hint that those things had better not go n. It is much better that supervision and con-ol should be exercised in that manner, than by ny formal and confidential reports on the part f the heads of misisons. The information in the ases I allude to was brought to me, and was not ought for by me. I never wish to hear those hings myself, because I know how destructive is to the good of any establishment that those ttle stories should be circulated and attended to. know a great deal that goes on, but I take care ot to let it be known that I do know it." Then ie next question is, "But does not your answer mount to this, that the means you have of taking ie measure of foreign secretaries are such that ou are obliged to trust reports brought to you asually?" and the answer is, "I hear the opinions f travellers, who tell us what is going on in the issions." I wish to ask whether you do not onsider that the judgment of the heads of issions is much better in relation to the promo-ion of their subordinates than any reports of ravellers, such as were alluded to by Mr. Ham-ond, as enabling the Foreign Office to form an pinion on the conduct of subordinates of mis-ions?—I will answer you so far as this, that I ertainly should not take any action with regard o a subordinate without knowing what his im-ediate chief thought of him. I might have eason to think that from mere incompatibility of empers, or from different ways of doing their usiness, they might not exactly suit one another r appreciate one another, and in that case I hould make allowance for the existence of such eelings, but I should certainly not take any step ith a view to the removal or promotion of any sub-rdinate without at least knowing what the opinion f his own immediate chief was, although I should ot pledge myself absolutely to act upon it.

2350. With regard to the transfer of secre-aries of legation, according to the present ystem, they are transferred periodically about very two years?—I think that is so.

2351. I should like to know whether you think hat that is desirable for the public service?—It s better for the public service than for the indi-idual. It comes very hardly upon the indi-idual, because the expenses of removal are ften heavy. The rule, I should say, was not stablished by me; but the theory of it is that hey should not be kept always in one place, but hould have the opportunity of obtaining as com-rehensive a knowledge as possible of all that s passing in the diplomatic world.

2352. But does it not occur to you that if a nan has been employed in one of the South American missions, for instance, he has gained a certain amount of knowledge and experience which is very useful in that mission, but which would not be useful in Switzerland, for instance?—Undoubtedly. I can only say that you cannot gain those two incompatible advantages; you cannot at the same time give a man a wide general knowledge of what is passing in various parts of the world, and give him that intimate and minute knowledge of the politics of one par-icular state which he would acquire by residing here through a long term of years.

2353. But do not you think that on the whole t would secure the efficiency of the different missions if the secretaries appointed to those missions were more of the nature of permanent officers?—There would be various objections in my mind to that. In the first place it would operate very unequally. There are very few people who would like to be kept 10 or 12 years at the South American missions, for example.

2354. But if it were understood to be the rule of the service, and, of course, if the work at these various missions were properly paid for, do you think that there would be any difficulty whatever in securing candidates for appointments for permanent service in foreign missions?—The inconvenience of the system which the honourable Member proposes, carried to its legitimate results, would be this: that you would have a great number of men (relative to the size of the service), each knowing perfectly well the details of his particular post, but each absolutely useless anywhere else.

2355. Even if you had, do not you think that you would find a man with such a knowledge of the details of his particular post, more efficient than a man coming to it without that knowledge?—Possibly; but even as to that, there are two sides to the question, because a man may have resided so long a time at a place as to be mixed up with local parties and local politics, and to see things from a local point of view; I do not lay much stress upon that, but it is a point to be considered.

2356. Of course a subordinate might become a chief under some circumstances; but still, if you have a stranger coming to a mission, where the language and the circumstances of the place and the conditions under which the mission is carried on are all strange to him, I think it must be clear that he must be for some time much less efficient than a man who has had considerable experience of all those matters?—It would be so.

2357. Your Lordship is perfectly aware that there are great mercantile houses in this country who are represented at various important stations in the world, and that they send out to those stations persons who are there for a great number of years, and I think I may presume that your Lordship will agree with me, that they would be unwise to move those persons from one part of the world, to another part of the world where they would be entire strangers?—I cannot follow the comparison, because the object of the gentlemen whom you speak of would be an entirely different one from the object of a Minister of Foreign Affairs. The object of the Minister of Foreign Affairs is to get a number of men as well acquainted as possible with the state of diplomatic affairs throughout the world, and who, by means of that general and varied experience, shall be capable of filling the highest posts. I do not think that if you kept every man during the earlier grades of his service in the same place, they would have anything like the same general and varied experience when their turn came to fill the highest posts. A man who had served all his life in Italy would know Italian politics intimately; but he would know nothing of what had passed in Germany; so a man who had served all his life in Germany would know nothing of Italian affairs; and a man who had been 10 or 12 years in South America would know absolutely nothing of European affairs.

2358. You would not transfer that man from South America to be the head of a European mission, but it might be the case that you would

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give the highest post in the South American missions to a man who had made it the purpose of his life to fit himself for it?—I think that the honourable Member's system would amount to this, that you would have a separate South American service, a separate Italian service, a separate German service, and there would be no means, without great inconvenience, of transferring a man from one to another.

2359. It would be so in regard to a large number of the posts, but I think I understand from your answers to questions which I put to you that in special cases you would be prepared to appoint outsiders to the highest posts of missions?—Yes, in special cases.

2360. You would not consider it necessary in special case that an outsider should even have been trained in the diplomatic service?—No; I think that, other things being equal, it would be a great advantage that he should have been trained in the diplomatic service, but there may be cases in which, for special reasons, it may be desirable to send a man outside the profession. In that case I should take very good care that he had under him a secretary thoroughly conversant with local details, and also with the general business of the office; else the ablest man without experience in the position would be likely to make blunders.

2361. But do not you think that a secretary trained in the way which I have been suggesting would form an admirable second to a chief brought in from outside?—A secretary trained as secretaries are trained now would form an admirable second.

2362. But do not you think that a secretary who had been for several years, for instance, trained up in the French embassy would form a most desirable second to a chief of the embassy in Paris?—There would be special reasons in certain cases for keeping men in a particular post for a length of time. The disadvantage of that is, that you sacrifice the man generally to the particular office.

2363. But does it not occur to you that while the line that I have ventured to suggest may be an extreme line in one direction, the other line of changing our secretaries every two years, is quite as extreme in the other direction?—If you mean to put it to me, whether two years or three years would be a better term of residence, I cannot say that I have considered that sufficiently to be able to answer you with any certainty. There is no doubt that the term of two years is short, and that the expense and inconvenience of removal is severely felt in some cases.

2364. Of course, in the event of there being a system of appointment to special missions mainly carried out, I do not say without exception, there would be no difficulty in appointing as heads of missions gentlemen who might not have been trained in the diplomatic service?—I do not think that it is quite the same thing that a man should have an experienced subordinate as that he should have large personal experience in the matters that he has to deal with.

2365. But still, taking for instance the French embassy, if it were thought right to send over as ambassador to Paris a public man of very great position and authority, who had not been trained in the diplomatic service, do not you think that the presence of permanent officials in the embassy at Paris would render such action very much more easy than it would be under present circumstances?—No; I think at a post like Paris you would find a very good subordinate in th secretary of embassy, who might actually be there

2366. And, speaking generally, you think tha the existence of these changes would not inter fere with the placing at the head of the embassie distinguished public men, not otherwise traine to the diplomatic service?—I do not think tha that on the whole would be a good system but if it were to be adopted I have no doubt tha they would find in the respective missions suc assistance as they might require.

2367. Now, already under the present syster as it is, you think they would find such assistanc as they might require?—Yes; but I must repea what I said just now, that it is one thing to hav an experienced subordinate and to lean upon him and another to have experience yourself. should very much prefer that the head of th mission should have the knowledge himself, rathe than that he should be compelled to refer to som one under him for it.

2368. Has your Lordship considered at all th proposal to amalgamate the Foreign Office servic with the diplomatic service, so as to make the rank in each and the appointments in each correspond —There is the power of transferring at present.

2369. But not a perfect amalgamation; I mea that the ranks in the diplomatic service shoul correspond in position and in remuneration wit the ranks in the Foreign Office service, so tha there might be the opportunity, if the Foreig Office thought necessary, of transferring to much greater extent than is now the case?—I d not think, as a rule, that there is any great de sire, either on the part of those who are employe abroad to come and serve in the Foreign Office or on the part of those employed in the Foreig Office to serve abroad. There is no difficulty i effecting a transfer.

2370. But if the services were amalgamated having the staff of the two combined, would ther not be less difficulty in meeting emergencies, and therefore, a greater practicability of reducing th staffs of foreign legations to a much lower stat than they are in now?—I can hardly speak wit confidence upon that point. I think that th work of a foreign mission, that is to say, the wor of a diplomatist, and the work of the Foreig Office, are really essentially distinct; they ar two separate occupations, although, no doubt, bot have to deal with the same class of subjects.

2371. I think you will admit that a great por tion of the training in the Foreign Office is equall available with the training abroad, for the unde branches of the profession?—Yes.

2372. And that, assuming that our presen missions abroad, and their staffs, are kept up t the point, that would be sufficient for any grea emergency, if we could go to the Foreign Offic to meet that special emergency by the provisio of additional labour, we might keep down th ordinary number of the persons employed in th missions to a lower rate?—As I understand th system proposed is that you have a certain num ber of clerks who might be kept flying throug Europe, from post to post, where they migh happen to be wanted.

2373. If he were wanted you would I presume send out a special officer: You rarely have i Europe special requirements and pressure of busi ness in more than one court probably at once perhaps you may pass a year or two withou having any special requirements whatever; an yet under the present system you keep up a sta whic

hich is sufficient for extraordinary emergencies? -The objection to the plan suggested would be the .me as that which the honourable Member was rging just now against the removal of secretaries, .at a man suddenly transferred to a place of which e knew nothing would be able to contribute ery little beyond his mere copying powers.

2374. In the Foreign Office the promotion of erks, we have been informed, does depend more pon ability than is the case in the appointment secretaries of legation. Is your Lordship vare whether it is the case or not that it does epend to some extent upon the ability displayed y the clerks?—Certainly it does in the higher rades. I would not make a man chief clerk or ssistant under secretary, unless I were thoroughly onvinced of his fitness for the post. Among the uniors they have not so much opportunity of owing ability, and therefore the system of selec- on is more difficult to work with there. And iere is moreover this objection, that when a umber of men are working together in the same ffice, bound to assist one another continually, and rought into perpetual personal contact, there is certain disadvantage in creating a very strong eling of rivalry and jealousy among them.

2375. But the line of promotion in the Foreign ffice of course stops before the very highest nk of all is reached?—Certainly; where you ach to the highest grades of the public service, is entirely a matter of selection.

2376. And then, as to the highest of all, taking ie Secretary of Foreign Affairs as being the head f the Foreign Office that is a position which, as matter of course, is not looked forward to by ie trained servants of the Foreign Office?—I onsider that the political head of an office belongs an entirely different class.

2377. Do you not think that some similarity ight be drawn between the position of the head the Foreign Office and the position of the head a mission abroad?—I was once inclined to take iat view, and as I dare say the honourable Member is aware, I expressed myself somewhat i that sense, and I am not sorry to have an pportunity of saying why, and to what extent, I ntertained that view, and to what extent I am iclined now to doubt its expediency. When I ntered the Foreign Office first, as Under Secre- ary, in 1852, it had been thought expedient not nce, I believe, but several times in recent years, make a change of ministers abroad, when a hange of Government occurred at home, because was thought that each Government represented different policy, and ought to have to support s policy abroad; those who were known to ympathise with it. My feeling on the subject ien was that this was rather hard upon the pro- essional members of the diplomatic service, and iat if you were to have that system at all (and I id not see my way then to anything else), it ould be fairer and better to make it general; ideed, to make it universal, and to tell a man ho went into the permanent diplomatic service iat he had nothing to look forward to beyond the ost of secretary of legation or embassy, but that ie missions were to be open to the competition f Parliamentary men. I thought that it would e better to have a general system of that kind ather than to have diplomatists rising in the rofessional service, and then liable to be removed om one place to another, or suspended alto- ether from employment, because of their sup- osed political views. But in the last 20 years (and it is almost 20 years since the time that I speak of) there has been a very marked change. I think no one can fail to see that the tendency of the present time is very much to limit political patronage, and to encourage men to look for promotion in that branch of the service to which they belong merely as a reward of their professional activity and zeal. Now, I have no doubt that that is the better system of the two. I have no doubt that it is a better thing to have a trained permanent diplomatic service, the members of which expect promotion only as they perform their duty, and who are entirely unconnected with the change of parties at home. The alteration, as far as there is one in my views, is this; that though I never doubted that that would be the best state of things if it could be established, I did not believe that it was possible 17 or 18 years ago, and with the experience that we have had since that time, I do believe it to be possible. I did not, myself, when I was at the Foreign Office, make an inquiry into the political opinions of any head of a mission, nor did that enter into my calculation at all in considering who was to be put into this place or that; I looked solely to their professional fitness; and I venture to say that I believe that those who have gone before me of late years, and Lord Clarendon, since my time, have acted upon those views; that appears to me to be the best rule to follow for different reasons. In the first place, all political patronage has its objectionable side, which I need not dwell upon; in the next place, if men are to be employed in doing professional work, it is much better that they should understand that their reward and promotion will depend on the way in which they do their work, than that they should look to interest or influence, or to the changes of parties at home.

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2378. But the appointment of ambassadors and ministers abroad from the diplomatic ranks does not prevent, at all events, it has not prevented recently, within the last few years, the appointment of extraordinary missions; that is to say, that on extraordinary occasions it has been found, or supposed that the permanent diplomatic service could not well be entrusted with the special duty that the Government of this country was desirous of having performed?—I should not like to put it in that way; I should say rather, that there have been cases of great European importance in which some one who was probably a member of the Cabinet, or in close connection with it, might be thought more immdiately to represent the views of the Cabinet than any other person.

2379. But does not that point to the fact, that apart from the political differences, mere party differences, which might operate in the selection of ministers abroad, there are very important considerations in reference to the national policy which our Government may adopt in opposition to the views of a previous Government; and is it not necessary, under those circumstances, that the Government should be represented in important courts abroad by men who thoroughly sympathise with them in their line of policy?—No, I do not think it necessary; because if you train the diplomatist to consider himself as merely the agent of the Foreign Office, as merely employed to express the views of the Foreign Office, he becomes very much separated from political parties, and will probably endeavour only to follow out his instructions to the best of his

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his power. Of course at any moment, or at any place, it may occur that the view taken by the Foreign Office, and which is the view that has to be acted upon, is not personally the view of the representative who has to carry it out. That is an unavoidable circumstance, for which every diplomatist must be prepared; and I am bound to say that I believe, as a rule, that our diplomatists have no desire to put their own personal views where they differ into rivalry with those of their superiors.

2380. It has been an impression that in some of the foreign capitals our ministers abroad have mixed themselves up to some extent with the political parties in those capitals; has your Lordship any reason to suppose that that has taken place?—I should say certainly not within my experience, and I should say that there is nothing that I should consider more fatal to the influence of a British minister.

2381. So far as your opinion goes, is it clearly the case that our ministers abroad are not likely to be affected by their own predilections for parties either on this side or on the other side of the water?—I think that their only wish would be to carry out their instructions, and the more entirely you separate them from party politics at home the more you put them into the positions of the officers of the army and navy, who have nothing to do with the opinions of the Government in power, but only to execute their orders, the more entirely you will divest them of even the suspicion of partiality.

2382. With regard to the expenses and salaries of the diplomatic branch, your Lordship was asked a question in reference to the increase of salaries, and I think I gathered that on the whole you did not express any opinion that the salaries of the higher branches of the service were insufficient?—There are one or two cases where it may be a question whether they are not; Washington is a very strong case. I believe it to be the dearest capital in the world.

2383. I suppose you are aware that we pay our minister at Washington a salary quite equal to that enjoyed by the President of the United States of America?—The salary of the President of the United States is, I believe, 5,000 *l.* a year.

2384. And the salary of our representative there is 5,000 *l.* a year, besides house rent?—It may be so.

2385. Does it not strike you as singular that we should require to pay our representative a salary equal to the amount paid to the head of the government?—I am not aware exactly, nor have I the means of ascertaining, what the president receives in addition to his pay; he has a residence for one thing.

2386. And our minister to the United States has an allowance for residence; but can you give us any reason why our representatives in the European courts should be paid on the whole considerably higher salaries than the representatives of the foreign courts of Europe?—I believe that there has been prepared for this Committee a comparison of the various salaries paid by the various courts; but I have not gone into that; it has never come before me, and therefore I am not able to speak upon it.

2387. That return shows that in many cases the ministers representing the principal courts in Europe do receive lower salaries at various capitals than the minister representing Great Britain; you cannot give us any reason why we should pay more salaries than the other European Governments, such as Austria and Prussia?—No; but if I may venture to say so, I advise the honourable Member to examine those statistics carefully, because it must be remembered that the manner of payment may differ in the different countries. I know that in some branches of the French service (I cannot say whether it is so in the diplomatic branch), that is allowed which is not allowed here, namely, that a man may receive public pay for two or three different functions at the same time. If he holds military rank, and if he also holds senatorial rank for instance, he is receiving pay for both together. In England if a man holds any office I believe the rule to be universal that whatever he is entitled to receive of public moneys otherwise, is deducted from the pay which he receives in respect of that office.

2388. Would that be the case if a general in the army were sent abroad on a special mission if he were on halfpay, would he sacrifice his half pay in the event of his being appointed minister?—In the case of a special mission, I cannot say.

2389. Mr. *Butler-Johnstone.*] Is it not the case that they have in foreign accounts what they call *frais de représentation*, extraordinary expenses, which are not included in the salaries of ministers; whereas the English ministers have no such extraordinary allowances?—Very likely that may be the case, but I am not aware of the manner in which foreign accounts are kept.

2390. Mr. *Rylands.*] I dare say that without going into the particulars of the amount, paid to representatives of foreign states, you will be perfectly aware that the amount paid to the representatives of the United States in London and other European capitals is very much less than the salaries paid to our representatives in other capitals?—It is undoubtedly less; how much less I am not prepared to say, because I believe that by the American system, there is a large sum paid for outfit, and a large sum paid also for the expenses of returning home; at least it used to be so.

2391. In our case, also, there is a considerable amount paid for outfit in addition to the salaries paid to our minister abroad?—I have no doubt if you put it in that way, that the whole sum received by the American minister is less, as a rule, than the sum received by our minister.

2392. And the course of the American diplomatic system is what you have told us, that the heads at all events of the missions, are appointed from public men in America, not necessarily previously connected with the diplomatic service?—Yes, that is so.

2393. Very eminent men, I think, have been appointed to London as ministers from the United States?—Yes.

2394. With regard to the work which is now performed at our foreign missions, do you not think that that work, so far as it is of a routine character, might be very much diminished?—There are so many kinds of work, that I must ask what particular work you refer to.

2395. I refer to the attention which is paid by the members of foreign missions to almost all European questions, and the ordinary politics events of the state in which they are placed?—That is a question which I can only answer in very general way; I do not think that, as a rule I have had occasion to complain that the report

which reach us of what is passing in other countries are too voluminous.

2396. You do not think that with the other means of information at present possessed by us, attention is paid to details of foreign intelligence in the foreign missions that might be avoided?—If you mean to ask me whether in the way of supplying news, the newspapers supply the place of official sources of information, I should say, certainly not; they are exceedingly useful, but they are not entirely accurate. It is quite possible that the earliest intelligence of what is passing may reach you in a newspaper, but then you can only take that as current report. The person who sends that is not in any way bound to guarantee it; he only tells it as what is currently believed and is probable. You expect your minister, or in his absence your secretary of legation, to take some pains to ascertain accurately not merely the fact that a report is current, but the accuracy of that report.

2397. I suppose that if some transaction took place in the Italian Parliament, for instance, in regard to matters of public policy, it would be communicated in a despatch to the Foreign Office, and the details would be given very fully, although it might not bear any immediate relation to English interests?—It would depend entirely upon the importance of the subject.

2398. May we take it for granted, that all that occurs in almost any foreign government in reference to any European question, is transmitted to the Foreign Office by way of despatches?—Anything of political importance that occurs in a country to which a minister is accredited, is reported by him more or less fully.

2399. Is it a fact now, that in the case of the principal missions in Europe, the despatches giving information of events of that character are sent through Paris under flying seal?—Yes, in a good many cases they are.

2400. And they would be copied in the Paris embassy?—That would rest with the ambassador. If he thought it of importance to have them for purposes of reference, he would take a copy.

2401. With your experience of the smaller missions of Europe, leaving out of the question now the secondary missions, do you not think that there is a very large amount of routine work done of the character I have alluded to, that is of no advantage to this country or interest in this country?—Not a very large amount I should say; it may occasionally happen that you have a minister, or still more a secretary of legation, with more industry than discrimination; but I should say that that would be rather the exception than the rule.

2402. I suppose the object of these reports is to which allusion has been made, is to enable a foreign minister to judge of the course of public opinion, and the general course of events?—Yes.

2403. Do you not think that, with regard to gaining a knowledge of that public opinion, you can procure it with more correctness by looking at the general discussions in legislatures, and the general expressions of public opinion, than by reports communicated by heads of legations?—No doubt newspaper intelligence upon such subjects is exceedingly useful, but now that nearly every country has a parliament, life would not be long enough to read all the proceedings of all the various legislative bodies of Europe; and one great advantage of having a kind of précis of these things sent home is, that your attention is called to that which the minister resident considers important; and you are enabled to see in less time what is worth your reading. I should mention that it is a common practice now, when a speech of exceptional importance is made, to enclose it, cut from a newspaper; so that after seeing the minister's abstract, you may, if you please, refer to the original document.

2404. From your experience, you are not inclined to believe that a considerable number of small questions might be dropped out of our diplomatic correspondence?—You can never draw the line accurately; but, speaking on the whole, I think it a less evil to receive a dozen rather voluminous records of proceedings which do not turn out to be important, than to miss one record of proceedings which you might feel the want of.

2405. But I suppose there is no doubt that any fact of great importance would be quite sure to come under the notice of the Foreign Office; for instance, any change of Government abroad, or any action of a serious character in a foreign legislature; supposing it possible that it might be dropped out of the correspondence, which is hardly possible, still the Foreign Office would have the means of knowing any such matter?—The honourable Member must recollect that a very large part of the politics of continental Europe do not pass in public. If you were on the point of negotiating with some continental government, it would be a matter of very great importance to you to hear things which you are not likely to hear in public; for instance, if there is some intrigue going on which is very likely to upset the government with which you are seeking to negotiate.

2406. But the importance of such information increases just so far as we as a country mix ourselves up in European politics?—Yes.

2407. And I think I may assume that it is your Lordship's opinion that it is desirable that we should avoid as much as possible mixing ourselves up in these European questions?—I am not in favour, certainly, of unnecessary intervention, and still less in favour of intervention of a character which might involve us in the risk of having to take part in a general war.

2408. Is it not the fact that treaties which have been made between this country and other governments in former years have become very embarrassing in consequence of their entailing obligations upon us which now we should be very glad to be free from?—If you put it in that way, it is undoubtedly true that the kind of legal fiction by which every treaty is supposed to be perpetual has certain inconveniences attending it, because nothing in politics can be perpetual, and therefore the fact does not always correspond with the theory. But that is, I should say, no more than what happens in your legislation at home; you have many laws still upon the Statute Book which are obsolete, and which are known to be obsolete.

2409. But there is this difference, that with regard to our laws, we can please ourselves whether we put them in force or not; but I presume that in the case of treaties, we are under obligations to foreign powers, and might be called upon by them to enforce those treaties?—Certainly, I am not here to say that no imprudent treaties have been made by this country.

2410. And the treaties under which this country

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country has been bound, have been made by means of secret negotiations, such as you have been alluding to between this court and courts abroad?—The amount of secrecy observed in the negotiation would be a matter which the House of Commons and the minister concerned must settle between themselves.

2411. Is it not the fact that, in many cases, treaties are completed before there has been an opportunity for the House of Commons or public opinion to pronounce upon their details?—Yes.

2412. You, in the Foreign Office, might in any case, have come to a conclusion with reference to a treaty without the House of Commons knowing the ground on which you came to that conclusion, or in fact the character of the treaty which you had agreed to make?—There is no doubt that the constitution of this country, as it exists, imposes upon the foreign Minister a very great responsibility in that respect; I apprehend, however, that if an engagement were entered into by a minister, it must, as a matter of course, be made public, and if then the House of Commons chose to repudiate it, and to censure the Government by which it had been passed, I think, giving merely my own opinion, that that would be considered as a national repudiation of the engagement.

2413. But the House of Commons has not the opportunity of knowing it now until after the ratification of the treaty?—No; that is the constitution of the country.

2414. In evidence that we have had before the Committee on a former occasion, an opinion has been expressed that the effect of diplomacy was to preserve the peace of Europe; I should like to have your Lordship's opinion whether it has not been the case that diplomatic action has sometimes had an opposite tendency within your own experience?—I cannot answer that without supposing a state of things which it is hardly possible for me to suppose, in which diplomatic communications did not exist between European countries.

2415. The reason that I ask that question has reference to an opinion which was stated in a speech which your Lordship made in the House of Commons in 1864, and if you will allow me, I will read the words. Referring to the Crimean War, Lord Stanley said, "In 1853, the ministers of this country at one moment threatened Russia, and at another encouraged Turkey, and at the same time they were profuse in their protestations that they wished only for peace, and that nothing but peace would follow. And so it came about that both parties were duped; Russia was sure that we should not fight, Turkey that we should, and Europe was surprised into a war. I will not profess to say that I feel any great apprehension that the same thing will take place now." (That is said in reference to the Danish question.) "The country is more wide awake now on these questions than it was then, and public feeling will be too strong for diplomacy"?—Yes; but I do not see a word in that reflecting upon the manner in which foreign affairs are conducted by our ministers abroad. What I intended to convey (I am not justifying it now as a matter of argument, but merely stating it), was that I believed the Crimean war to have been caused by a certain vacillation and hesitation in the Cabinet itself, by which the two parties were led, the one, Russia, to believe that under no circumstance would we fight, and the other, Turkey, to believe that we were ready to defend it, and that the consequence of that vacillation was, that the two parties were led into a war, whereas if we had from the first said either that we should fight, or that we should not, a *casus belli* would not have arisen; but that has nothing to do as far as I can see with the conduct of those who represent England in foreign countries. Rightly or wrongly, that which I was complaining of in that instance was the policy of the Cabinet at home.

2416. Still the diplomatic policy is exhibited by means of the diplomatic representatives of this country abroad?—And the diplomatic representatives of this country abroad would, I presume, only obey the instructions which they receive from Downing-street. The diplomacy of which I spoke as creating that war, was, to use perhaps a more accurate phrase, the foreign policy of the Cabinet then existing.

2417. And in reference to this point, "the country is more wide awake now on these questions" (of international and European interest) "than it was then, and public feeling will be too strong for diplomacy;" you would alter that now, and say that it would be too strong for foreign policy?—What I intend to convey by that was, that the feeling of the general public would be too strong for that, viz., the breaking out of a war, to happen in the case to which I was then alluding; though no doubt at that time there were some who took a very warm interest in the question then pending, and who upon that question would have been prepared to involve England in a war.

2418. And the fact was that our representative at Copenhagen was instructed to give certain assurances of support to Denmark, which, in your Lordship's opinion, were calculated rather to involve us in difficulties, and not to promote the peace of Europe?—On the supposition that any such instructions were received, they are no doubt in the published Blue Books, and would be the instructions of the Cabinet at home, and for them, not the representative abroad, but the ministers of the day collectively would be responsible.

2419. Then you entirely distinguish between the diplomatic servants abroad, and the Foreign Office at home?—Certainly; the latter are responsible for the orders that they give, and the former only for carrying out those orders strictly and accurately.

2420. Do not you think that it is equally wrong to give to the diplomatic representative abroad, the credit of peace arising out of the policy of the Foreign Office at home, as it is to blame them for a policy leading to war, when that is in the same way, in accordance with the instructions of the Foreign Office at home?—The Foreign Office gives instructions, and those instructions, in any case of European importance, are supposed to be those of the Cabinet, and for them the Cabinet is responsible; what a diplomatist can do in the first place, to send home early and accurate information of what is passing, to supply the best possible materials upon which the judgment of the Cabinet shall be formed, and next to execute the instructions which he receives in an efficient and conciliatory manner; something will always depend upon the instrument.

2421. Then you consider that, to a very great extent, it depends upon the policy for the foreign minister as to whether the action abroad will be in the direction of peace or of war, rather than upon the action of the diplomatist abroad?—Undoubtedly. It is not to be supposed that a diplomatist

natist in any European country can involve his country in a war without the Foreign Office being consenting party. The diplomatist may, if he does not understand, or does not efficiently discharge his duty, mislead the Foreign Office; that is a different matter.

2422. Is your Lordship of opinion that it is desirable to keep up in the very small courts of Europe ministers at high salaries?—Which do you call the small courts?

2423. Take Bavaria, for instance, where there is an envoy extraordinary and minister plenipotentiary with a salary of 3,600 *l.* a year, and an allowance for house-rent of 400 *l.*, with the additional expenses of outfit, and also the services of three secretaries of legation?—I will say at once that I think there is one alteration which, when a convenient opportunity occurs, might be made; I do not think that there is any necessity for keeping up a separate diplomatic establishment at Stuttgardt. Southern Germany, as the honourable Members of the Committee are well aware, is at present in rather a peculiar position; the Northern Confederation, which is virtually Prussia, is a power by itself, and the South Germans are in a more independent and isolated condition than they have been at any former period; I do not think, therefore, that it would be desirable to withdraw our minister from South Germany altogether; and if he is to remain in South Germany, Munich is undoubtedly the proper place for him; but I think it is quite worth considering whether the minister who is at Munich might not do the little work that there is to do at Stuttgardt also.

2424. As to Hesse Darmstadt, do you think that we require a secretary of legation there?—I have always looked upon that mission as being rather an appendage to the court than to the diplomacy of the country. I cannot honestly say that there is any such public business to do at Darmstadt as requires a diplomatist to be there; but I have always considered the official to be there (and he is not one of a high rank) as a mark of respect to a member of the royal family.

2425. I do not gather from your Lordship's answer that you justify it on that ground, but merely that you explain that that is the ground?—You must take me to justify it to this extent, that I did not alter it when I was at the Foreign Office.

2426. Then, with regard to Saxe Coburg, would the same view apply there?—Precisely the same; they stand on the same footing.

2427. And Saxony?—I reduced the mission there, and there is now only a secretary of legation.

2428. There is a chargé d'affaires with a salary of 750 *l.*, and an allowance for rent of 200 *l.*?—Yes, but the mission was reduced; that gives me perhaps as good an opportunity as I shall have of stating one difficulty in the way of reducing these small missions. There can be no question, it seems to me, as to the inexpediency of maintaining a large diplomatic staff at Dresden; for, by the treaty concluded in 1866, between Saxony and Prussia, the Saxons have virtually bound themselves to follow in all respects the foreign policy of Prussia; and I therefore, in the first instance, withdrew the mission altogether, but I found the step so much misunderstood, and so universal a feeling of disappointment, and I may say of annoyance, in Germany, and also on the part of the English residents, who were very many at Dresden, that I so far yielded as to place a chargé d'affaires there at a lower rank and less cost.

2429. *Chairman.*] Your first intention having been to abandon it altogether?—Yes.

2430. Mr. *Kinnaird.*] And you have not had reason to change your views on that point of the diplomatic necessity since that reduction was carried out?—No; I think that what weighed with me in replacing an official there, although of lower rank, and at less cost was, that I found that the act was very much misunderstood on the Continent; it was considered as indicating some quarrel or coldness between the courts, than which nothing could be further from the truth; and I thought it better to spend 700 *l.* or 800 *l.* a year, than to allow that impression to continue.

2431. Mr. *Rylands.*] That, of course, would be the immediate impression; but does it not appear to you, that a certain time having elapsed, a withdrawal might now take place without creating any unfair impression as to the occasion of it?—I cannot say that I see any strong political or diplomatic necessity for a resident at Dresden.

2432. With regard to Switzerland, does your Lordship think it desirable that we should keep up in Switzeland an appointment of the rank of envoy extraordinary and minister plenipotentiary?—The objection in the case of Switzerland (and the same thing would apply to the case of Denmark and to the case of Sweden) to withdrawing your minister is, that you have a representative there, and you must continue some communication with the government; and if you withdraw your minister, you have a representative there of lower rank, and so of less influence than any of the other great powers. And I may also say that there is no point upon which very small states are so touchy as that of their importance in Europe (that is, I dare say, very natural); and I have no doubt, that if from Sweden, Denmark, and Switzerland you were to withdraw your minister, you would find that would give deep and lasting offence.

2433. You do not think that it would be practicable to place a chargé d'affaires in each of those courts, with the understanding, that on any special occasion, a minister would be accredited to those courts?—I should not like to do that unless the other powers did the same; I do not think the saving effected would be worth the offence you would give.

2434. Mr. *Kinnaird.*] Do not you think that Switzerland, from its position in Europe, and its liberal tendency, might, some day, be a most valuable ally, and be nationally of great use to this country? — I think that there has been always strong sympathy felt in this country for the people and government of Switzerland; but as far as material means are concerned, it is less accessible to us than almost any country in Europe.

2435. The moral effect on its political relations of retaining its present diplomatic connection with us might be good?—Undoubtedly.

2436. Mr. *Butler-Johnstone.*] Will you state whether any inconvenience has been felt in your experience from our having a minister of a lower diplomatic station at Rome than we might have, and whether it would be advisable to give our chargé d'affaires at Rome a higher diplomatic rank?

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rank?—We have, strictly speaking, no official communication with the court of Rome.

2437. But has any inconvenience been felt by us from want of regular diplomatic correspondence with Rome at such times as the present, for instance?—No, I cannot say that there has; and I must add, that I think whatever can be done by personal ability and thorough comprehension of his duty, has been done and is being done there by Mr. Odo Russell.

2438. If that is the case, might we not do equally well with lower diplomatic officers in other courts; Mr. Odo Russell, holding a lower diplomatic station than the representatives of other European countries, and doing equally well, might not the same thing apply to other countries?—I must repeat, that Rome is so far a peculiar case, that we have, strictly speaking, no diplomatic communication with it.

2439. But would it not be of political advantage for us to have diplomatic communication with it?—That involves several considerations of home politics of great delicacy and difficulty.

2440. No difficulty has been experienced by reason of our having only an unofficial representative there?—No, I cannot say that we have experienced any.

2441. With regard to a question that has been put to you, whether the staff of the foreign missions might not be supplemented by the staff of the Foreign Office, I wish to know whether there is any reserved staff at the Foreign Office which could so supplement the staff of the foreign missions?—That is a difficult question to answer, for this reason, that there is no public department in which the amount of business to be done fluctuates so much as in the Foreign Office. You may have a season of dead calms, when half the clerks have very little to do; then some sudden complication may arise at a day's notice, when everybody will be worked to the utmost.

2442. The same complication which would create a pressure abroad would create one also at home?—Yes.

2443. Mr. *Arthur Russell.*] Do you think that our representatives abroad could be relieved in any way from the duty of entertaining with with a view to a reduction of their expenditure?—It is extremely difficult to lay down any rule upon that subject, because you cannot say that the amount of representation or of entertainment which a minister abroad has to perform can be regulated in any way by the instructions which he receives. If he does not entertain at all, the difficulty is this, that he is not in a position to return the hospitality which he receives, and, to a certain extent, he is excluded from social life.

2444. Mr. *Cartwright.*] Did I rightly understand your Lordship to say, that you thought that there might be certain advantages in the appointment of permanent clerks in the foreign missions?—Yes; I can imagine, for instance (I do not know whether it is so), that where the archives of a mission have become extremely voluminous, it might be desirable to retain permanently some one who knew his way through them.

2445. It is only in the larger missions, I suppose, that that would be the case?—I only pointed to that as an exceptional resource.

2446. I think your Lordship said that you concurred originally in the transfer of the Persian mission to the India Office?—Yes.

2447. And then when your Lordship was at the Foreign Office you found it re-transferred? Could you call to mind any inconveniences which you found in consequence of its re-transfer to the Foreign Office?—No, nothing very urgent occurred in Persian affairs either when I had to manage them as head of the India Office in 1859, or as head of the Foreign Office between 1866 and 1868. The principal advantage, as it seemed to me, in having it under the India Office, was that it is in the Indian service that you are more likely to find men who are thoroughly conversant with the languages and ways of the Orientals.

2448. Mr. *William Henry Gladstone.*] I believe it is customary for an attaché on his appointment to spend six months in the Foreign Office?—Yes.

2449. Can you tell me whether, so far as you know, that time is well spent in training attachés for future duties?—You will get that better from one of the permanent officials, but I should be inclined to say it was; they have never seen the inside of a public office before, and they get to learn there something of the elementary principles upon which the business of an office is conducted.

2450. My reason for asking is that some of the heads of missions who have sent in reports to Lord Clarendon, have made a complaint that the training which they got in those six months was not very good?—I do not know how that is, but I think that the principle of putting them in the Foreign Office to learn the way in which the office is conducted is a good one.

2451. Mr. *Lowther.*] I think I understood your Lordship that you were in favour of having a permanent clerk at some of the large embassies?—I hardly put it as strongly as that; I said that I could conceive that there might be an advantage in it.

2452. But the gentleman who would be there would be an Englishman, I presume?—Yes, I suppose, generally.

2453. And he would, occasionally, want to go on leave?—Yes.

2454. And who would take his place during his absence?—The office would have to do without him, I suppose.

2455. But would the records then be left to take care of themselves until he came back?—The honourable Member must understand that I did not put it forward as a plan of my own proposing. Of course the inconvenience is, that, in any case, if there is one man who becomes indispensable to an office, it occasionally happens that he must go away, and then the office is rather awkwardly circumstanced without him.

2456. And, therefore, is it not better that those who belong to that embassy or mission should each of them, as it were, take his turn at the duty which that officer would have to perform, and that there should not be one man alone to discharge it?—That inconvenience is an objection, as far as it goes, to the plan which has been suggested.

2457. With regard to the second and third secretaries, I think they are sometimes called upon to make reports irrespective of the six-monthly reports of the first secretary?—I do not like to speak with certainty upon that point, but my impression is that that is so.

2458. Is it unusual for the chief of a legation to mention in an approving manner the name of one of his subordinates who has distinguished himself in that way?—I think that if a subordinate

nate distinguishes himself in any respect, it would be the duty of his chief to bring his services in some way favourably before the Foreign Office.

2459. But do chiefs do that; is it in your Lordship's recollection than you have seen the name of a second or third secretary, or even an attaché, mentioned as having performed his duty with zeal and diligence?—Yes; I think that has been done.

2460. Did you find when you were at the head of the Foreign Office that our representatives abroad were in the habit of putting forward their own political opinions in connection with public affairs?—No; I should say that nothing more struck me than their honourable and scrupulous abstinence from anything of that kind.

2461. And therefore you would say that a Tory Minister would report as conscientiously to a Whig Government as a Whig Minister would do?—I believe that you might take the whole mass of the diplomatic correspondence that comes from the various capitals, and although you might gather from it what were the opinions of the writers upon certain special subjects, you would not gather from it whether any of the writers were, in their personal politics, what is called Liberal or Conservative.

2462. Some allusion has been made to the pay of the English minister at Washington as being very much out of proportion to the pay of the President of the United States; does your Lordship know what the pay of the French ambassador in London is?—Not to speak with certainty, but I believe it is 10,000 *l.*

2463. That, I suppose, is rather out of proportion to the pay of a Prime Minister in England?—Undoubtedly; that is double the pay of the Prime Minister.

2464. With regard to the intelligence given by newspapers, I think your Lordship said that it was sometimes earlier than that given by our legations abroad?—Yes; I put it in this way: that a newspaper writer will, as is his duty, put down the current report of the day, not in any way vouching for it. It is possible that your official correspondent might do the same, saying, "I send you this, *valeat quantum*;" but more probably he would take the earliest opportunity of calling at the Foreign Office of the place where he was, and trying to find out whether there was any truth in the story or not.

2465. And did your Lordship find that intelligence given by newspapers came occasionally later than that given by official persons?—Occasionally it would be earlier, occasionally later; but the main distinction which I draw is this, that if you rely upon newspapers alone you have no means of getting the fact which is reported officially verified or officially contradicted.

2466. And would a Principal Secretary of State, as a rule, take much heed of the information that he would see in a public paper?—It would depend upon the character of the paper, and also upon the country. There are many countries in which very little that is of diplomatic importance would appear in the newspapers at all; there are other countries in which party feeling is so strong, and the journals so numerous, each only representing its own individual shade of opinion, that you could hardly place any reliance upon what any of them might say.

2467. I think your Lordship nominated the present agent at Darmstadt, Mr. Morier?—Yes, he was appointed to that post in November 1866.

2468. Is your Lordship of opinion that the correspondence received from there is not of great European interest?—As regards Mr. Morier personally, I must say that he has been of very great service in sending information relating to matters of a very varied nature concerning all parts of Germany; he is a man of very great information upon all German subjects.

2469. And from the geographical position of Darmstadt, he has the means of hearing a great deal of what is going on in Germany?—Yes.

2470. And therefore, I presume, that another man in the same post, might also be able to give intelligence of considerable interest?—No doubt, if you get hold of an able man well acquainted, to begin with, with German politics, and set him down in almost any capital in Germany, he will be able to send you some useful and valuable information.

2471. What I want to know is, whether an agent stationed at Darmstadt, is not in a position to supply valuable information with regard to Germany?—Yes, he may, no doubt, send valuable information from there.

2472. Which he, perhaps, would not get at a large court?—I am hardly prepared to say that.

2473. I think your Lordship has never been in the diplomatic service yourself?—No, I have not.

2474. And you have never lived much in foreign capitals, I believe?—No, I have not.

2475. Supposing that the secretary of legation at Dresden was disestablished, would it not be necessary to have somebody there to attend to the interests of the British subjects at Dresden or in Saxony?—There are a considerable number of British subjects resident in and near Dresden, and no doubt they would require to have some members of the consular service within easy reach.

2476. I think there are deaths of British subjects, and there are births, and there are probably marriages, in Saxony, which would have to be attended to?—Yes.

2477. And, therefore, there would be a necessity for some agent at Dresden?—There would be a convenience in having an agent in or near Dresden; I will put it in that way.

2478. And has your Lordship considered the question whether a consular agent would be sufficient there?—Undoubtedly, a consul would not perform some social services for which the British colony at Dresden are very grateful.

Thursday, 5th May 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. Bouverie.
Sir Henry L. Bulwer.
Mr. Butler-Johnstone.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable EDWARD HENRY Earl of DERBY (attending by permission of the House of Lords); further Examined.

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2479. *Chairman.*] I BELIEVE your Lordship wishes to make a statement to the Committee?—Before my examination is continued, I wish to correct, or rather slightly to modify, one or two answers which I gave on Monday. One of the corrections which I wish to make, relates to the second and third secretaries being removed at the end of two years. I do not think that I stated with sufficient clearness that they are not necessarily removed, but only removable at the end of that period; as a matter of fact there have been many cases in which persons in that position have not been removed for three years, and I think that there are one or two cases in which they have even exceeded that time. The second correction that I wish to make is with regard to the question of leave. My impression was when I was examined before, that no complaints had been made to me by members of the diplomatic profession upon that subject. On referring to my papers I find that though the complaints were not numerous nor pressed with much urgency, still some complaints of that description have been made to me, but I may say that they turn not so much upon the question of reduction of salary during the time of leave, as upon the shortness of the leave itself. I believe it is felt as a cause of complaint by ministers resident at distant stations that the two months' leave allowed them out of the twelve is hardly more than sufficient for their journey out and home. The remedy for that, as I conceive, if it requires a remedy, is that they should be allowed to throw together two years' leave into one. As a matter of fact, I believe that has been done sometimes in special cases, but I confess that I can see no reason why that alteration should not be made general, subject, of course, as all granting of leave is subject, to the discretion of the Secretary of State.

2480. Sir *Henry Lytton Bulwer.*] But even making the improvement which you suggest, an ambassador coming from Paris has really no expense to incur, whereas an ambassador coming from Persia, or even Constantinople, has a great expense to incur; moreover, he cannot change his servants and establishment, and therefore he is obliged to keep them up the same as if he were there. Do not you think that some allowance should be made to meet that, having reference to the situation of the place?—I think that that resolves itself simply into a question of salary; it comes to this, that a distant post is less eligible in that respect, in consequence of the loss incurred, in the manner which the honourable Member has described, than a post near home.

2481. Mr. *Kinnaird.*] Not wishing to go over any of the ground that has been already gone over, there is one point upon which I should like your Lordship to favour the Committee with an opinion. The object of this Committee is to economise if possible the resources of the country. I see that very large items have been, at different times, spent for what are called special embassies and special missions, amounting in a few years to something like 50,000*l.* or 60,000*l.*, the details of which do not appear in the Estimates. For instance, recently (I think in 1866) there was a special mission sent to invest the King of Denmark with the Order of the Garter, and I see a charge for Garter King-at-Arms of 600*l.*, simply for going over to Denmark and coming back again; these items swell the Estimates very considerably; do you think that in the altered state of our relations it was necessary, having, as we believe, a very able representative at that court, to send a nobleman specially over for that purpose; is it not both detracting from the position of the resident minister and putting the country to great expense?—These special missions are merely international courtesies, and I cannot deny that they are international courtesies of rather a costly kind. With regard to the question of how far it is right that public money should be spent upon matters of public pomp and show, that is entirely a question of argument, and not of evidence.

2482. Do not you think that it rather detracts from the position of the resident minister, who ough

ought to stand well at that court, to be superseded temporarily by some young nobleman for the purpose of investing a sovereign with an order when he could have done it perfectly well himself?—I do not think that resident ministers would look at it in that point of view, because it is an old established usage, and it is perfectly well understood that these missions are of a merely ceremonial character. I think if the honourable Member is objecting to them, undoubtedly the strong ground of objection is the expense.

2483. There is another point which, perhaps, your Lordship will favour the Committee with your opinion upon; why we do not make a greater use of the experience which some of our best consuls have had, and make use of them for diplomatic purposes. There seems to be, looking at past years, almost an insurmountable barrier in the way of this, and the consuls themselves feel that there is little or no prospect of rising from the consular service into the more important diplomatic service, though they have shown very great aptitude in the most difficult negotiations. Sir Henry Parkes is one of the few who, commencing as a consul, has been raised into the diplomatic service; but there are other very distinguished consuls who certainly seem to have deserved well of their country, and yet by some system of etiquette, or through prejudice, they can never rise out of that position. Has your Lordship any opinion upon that point?—I do not think that there is anything like an absolute exclusion of consuls from the diplomatic service. Admiral Harris, for instance, the present minister at the Hague, began in the consular service, and Sir Charles Wyke, I believe, did the same. In the Chinese, and, what is now added to the Chinese, the Japanese service, it is, I think, becoming an understood thing, that those who do their duty well as consuls in those countries of which, owing to the very peculiar nature of the service, other diplomatists know very little, may fairly look forward to the mission at Pekin, or to the mission at Japan.

2484. Then you consider that the duties connected with an important consulship do remarkably fit a man, at all events in the East, for promotion to the diplomatic service?—There are consulships and consulships. There is, perhaps, no office of which the duties vary more in different parts of the world. In China and in the East, a consul is, to a great extent, engaged in what would be elsewhere called diplomatic business. So again, in South America, the consuls general have a great deal of diplomatic work upon their hands. In Europe, at great trading posts, the consular duty is quite distinct from the diplomatic.

2485. Then you see no objection to recruiting, on fitting occasions, the diplomatic from the consular service, but you think it would be rather an advantage to the diplomatic service to have so good a school in which to train its officers?—I think that a consul who had distinguished himself, say at an Eastern post, might very well be rewarded by a mission; I see no objection to that.

2486. Mr. *Rylands.*] In reference to the appointment of Admiral Harris as consul in the first instance, and afterwards as a member of the diplomatic corps, I wish to ask your Lordship's opinion whether it is desira le to take gentlemen from the services, the navy and the army, and to place them in the consular or diplomatic service over the heads of persons who have been trained to that particular profession?—With regard to the consular service, it has always been held to be an entirely open service, that is to say, that no special qualification was required; but any man who was supposed to have competent ability, might be placed in any consulate.

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2487. But in the case of Admiral Harris, the appointment to the consulship seems to have been preliminary to a very rapid jump up into a minister plenipotentiary; perhaps your Lordship will allow me to call your attention to the dates: Admiral Harris was appointed consul to Denmark in August 1852; he was promoted in December of the same year to the post of chargé d'affaires and consul general in the republic of Peru; there he assumes a diplomatic character at once in the course of less than six months from the time of his first appointment as consul?—That is nearly 20 years ago; since that time the practice of reserving diplomatic appointments more strictly for the members of the service has generally prevailed.

2488. Then I gather from your Lordship's statement that you would not approve of the appointment, under present circumstances, of a gentleman in the army or navy to a situation of that sort without previous training?—I do not think that the fact of a man having served in the army or navy is any disqualification for a post in the consular service.

2489. But in this case the appointment as consul is the immediate occasion of an appointment to the diplomatic service in the case of a gentleman without the slightest previous training; does not your Lordship see an objection to that course?—The honourable Member is asking me, as I understand, to pass a retrospective criticism upon an appointment made 18 years ago.

2490. Merely in view of future appointments that might be made by the Foreign Office. I am asking your Lordship simply to lay down an opinion which might to some extent guide the Committee in their recommendations on a point of some importance?—I have no hesitation in saying, if I am asked as to the principle on which appointments should be made, that I think, as a general rule in the diplomatic profession as in every other, it is a good thing that a man should begin at the bottom and work his way regularly upwards. At the same time I do not say that I would absolutely exclude, on the contrary, I have said that I would not absolutely exclude those who are called outsiders, that is to say, men who have made for themselves a position and a reputation for their knowledge of business in other occupations. There may be cases where it is desirable to employ such men in the diplomatic profession, and I think it is very desirable that no rule should be laid down which should absolutely exclude them. At the same time that I say that, I think that such cases should be the exception and not the general rule.

2491. In the instance to which we are now referring, that of Admiral Harris, his appointment as consul took place in 1852. I think at that time his brother, Lord Malmesbury, was Secretary for Foreign Affairs?—Yes, in 1852 Lord Malmesbury was Secretary for Foreign Affairs.

2492. Then in fact this rule, if there is any rule, was over-stepped by Lord Malmesbury in the

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the appointment of his brother?—I have never said that it was a rule.

2493. At all events the practice has been generally against the appointment of naval and military officers to diplomatic posts; I think your Lordship will bear that out?—I think it will be found that up to 1852 and later, there was very considerable laxity in that matter, that is to say, that men were taken from various professions to be employed in diplomacy. It was customary, and was considered legitimate.

2494. Mr. *Eastwick.*] With regard to some questions that were asked you just now by the honourable Member for Perth, is it not a fact that there have been several other appointments made from the consular service to the diplomatic besides the one which he named; for instance, Sir Rutherford Alcock and Mr. Mathew?—The honourable Member is quite correct as to those two appointments.

2495. Then I would ask another question with reference to those questions put by the honourable Member; would it not perhaps be desirable to make a distinct service of the consular shipping service and not to promote to the diplomatic service out of that, and to, perhaps, consider the consular service, where political functions and judicial functions form a part of a man's duty, a service attached to the diplomatic service?—The proposal of the honourable Member, as I understand it, is to divide the consular service into two parts, one exclusively confined to duties connected with commerce, and the other discharging duties connected with diplomacy. I have not sufficiently considered that proposition to wish to give a decisive opinion upon it; indeed, in the form in which it is put, it is new to me. But I think it would not be desirable without a good deal of consideration to draw a hard-and-fast line of that kind. Practically, if a man's previous training and employment have lain in the one line he would not be very likely to be transferred to the other.

2496. Your Lordship is perhaps aware that representations have been made by the chambers of commerce, which suggest placing the shipping consulates under the Board of Trade; does your Lordship see any objection to that?—I think that there is a great deal of objection to a public servant being at the same time under two separate departments.

2497. I think the suggestion is that they should be moved from the Foreign Office and be in direct communication with the Board of Trade and under the Board of Trade?—Then the question resolves itself into this, whether there are functions performed by consuls at present under the Foreign Office which might be better performed by officers of the Board of Trade.

2498. I am speaking only of shipping consuls now, not of course of those who would have political functions?—I am hardly able to give an opinion upon that point; I think it was inquired into by a Committee of the House of Commons some years ago.

2499. You said, in answer to Questions 2264 and 2271, that the diplomatic service is little sought after; do you think that that is a satisfactory state of things?—I said that they were not sought after with the same eagerness which is shown in looking after appointments at home; I added that I do not at all complain that the supply of candidates for the diplomatic service is insufficient, for that is not the case; but I would rather put it in the other way, that the pressure to get into a public office at home is to my mind excessive.

2500. Would you say that the pressure to get into the consular service is greater than that to get into the diplomatic service?—On the whole, I should; but it must be remembered that there is a wide difference between the two cases, because a man up to the age of 40 is eligible to the consular service, whereas no one can enter the diplomatic service regularly except as a very young man.

2501. In answer to Question 2263, you attributed the paucity of applications for admission to the diplomatic service, partly to its not paying in a pecuniary sense, and partly to the banishment from England; would not the first consideration apply to the army and navy?—Certainly; all I can say is, that with regard to the army and navy there is something in the character of those professions which in this country, and I believe in most countries, is found peculiarly attractive to a large number of young men.

2502. Then your Lordship stated that one of the reasons why there was not so much pressure to enter the diplomatic service was probably the banishment from England; would not that apply with the same force, or perhaps with more force, to the Indian and colonial services?—To some extent, as far as I am able to judge, what I have said, as regards the diplomatic service, applies also to the Indian civil service. I believe that those who have had most to do with that service, especially those who established the free competition for it in 1853, and who have watched the working of that system, have been surprised, and not altogether satisfied, that there is not a greater rivalry to enter it; but I am speaking in that of what I only know from general knowledge.

2503. Still I imagine that there are at least three candidates for every appointment in the Indian civil service, and that many of those candidates come up time after time, showing a great eagerness to enter the service?—That may be so; it is not within my knowledge.

2504. Could your Lordship mention any other circumstances which prevent the public from applying for appointments to the diplomatic service?—No, I can give no other explanation than that which I have given, unless it were this, that there are many other careers open in this country.

2505. But is it not probable that another cause may be that the public are aware that unless applicants had some personal acquaintance with the minister, there would be no chance of their succeeding in getting an appointment?—I do not think that is the fact; of the few young men whom I appointed attachés, I do not think that there was one whose parents were among my personal friends.

2506. Do you think that that has been the general rule on the part of Foreign Secretaries?—I think that of late years ministers have been glad to get any well-qualified young men.

2507. Might not another circumstance tend to diminish the prospect, namely, that the prizes of the service, and the best stations, are generally reserved for members of influential families?—I think that the honourable Member is speaking rather of former than of present times.

2508. For instance, Mr. Thornton, who was, I believe, considered a very able servant of the Government, has passed his whole career, I fancy,

ncy, in America, and he has never been employed in Europe, except for a short time, when e was first an attaché; and Mr. Alison, who as also acknowledged to be a very able servant f the Government, has been employed entirely n Turkey and in Persia, whereas we may aturally suppose that those gentlemen would ave applied for missions nearer home at some me in their career?—I am unwilling to discuss ndividual cases of promotion or non-promotion ithout further acquaintance with the details an I can command at a moment's notice; but should perhaps say that it very often happens at a man who has acquired peculiar familiarity ith the affairs of some one country prefers to emain there; he feels himself at home there; e knows that he is master of the subject there, nd he knows that he would not be equally aster of his subject if he were removed to nother part of the world.

2509. But with regard to what your Lordship aid as to secretaries being changed after two ears' or three years' residence at one mission, s it not the fact that the secretaries in the Per- ian mission have been kept there for something ke 20 years; in the case of Mr. Thomson, for nstance?—If that is so, I suppose that they ust have been appointed long before the rule f which I speak came into operation. The rule as not laid down by me, but I found it when I ntered the Foreign Office; I believe that it is ne of comparatively recent date.

2510. Would your Lordship think that, supposing a gentleman to have been kept, we will ay 10 years even, at one station, and that tation not a very desirable one, as in the case of ersia, if he made application to be exchanged, t would be reasonable to give him an appointment nearer home or in a better climate?—I ertainly think that, as a general rule, good service done at a remote post, and at one which is ot generally considered desirable, does give a laim to be removed to a more eligible situation fter a certain lapse of time.

2511. In one of the questions put to you last ime, the expression "discouragements of the ervice" has been used; now I would ask whether it is not rather a discouragement of the ervice that men without influence have (as they ave in some cases) been removed from employment and pensioned or left without pay and vithout employment, although their services may ave been acknowledged, and there is no reason why they should not be re-employed?—If I understand the question, the honourable Member uts it in this way, that it is a discouragement to diplomatists generally that those who have served or a good many years, and who by any accident re thrown out of employment, are not necessarily e-employed.

2512. I would hardly say "by any accident;" I mean cases where they have been pensioned without its being their express wish to be pensioned; when they have expressed their wish to be re-employed and have not been re-employed?—The Secretary of State must always be the judge whether it is desirable, in the interests of the public service, that any man whose employment has ceased should be re-employed; but the honourable Member must recollect that there are two sides to the question which he raises, because if these old diplomatists are, as a matter of course, to be re-employed, that will operate as a discouragement to the rising diplomatists, who will have one chance the less of being promoted.

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2513. My question did not apply to old diplomatists, although I did ask the Permanent Under Secretary of State whether ministers, after a certain age, might not be pensioned; but it applied to such gentlemen as, for instance, Mr. Christie, who was minister at Rio, and who is still without employment?—Without referring to an individual case, I should say that I consider it absolutely essential that the Secretary of State should have the power of judging whether it is or is not desirable, in the public interest, to re-employ a diplomatist who for the time is out of employment.

2514. In your answer to Question 2288, your Lordship has said that "anything which comes to us sanctioned by the authority of the French is entitled to much consideration;" now no man can be admitted into the French diplomatic service without the diploma of licentiate in law, or some examination equivalent to that; should not that be the case in the English service also?—I do not know what the precise English equivalent to that diploma would be.

2515. I presume it would be a university degree in law; what is your Lordship's view on that question?—The objection to establishing special and out-of-the-way tests for admission to any profession is this, that you practically limit the admission to it to those who for years past have been trained specially with that view. I do not think that it would be desirable to exclude from diplomacy or from any profession those who have received a good general education. If it is necessary for professional purposes that they should acquire familiarity with certain special subjects afterwards, their knowledge of those subjects had better be tested by a subsequent examination.

2516. Then in that respect your Lordship would not give weight to the authority of the French system, and I may say of the continental system generally, because I believe the same thing exists in Prussia?—No, I would frame the test examination on the competitive examination, whichever it is to be, in such a manner as to admit the largest number possible of those who have received a good general education, as that term is understood in England. I think that the special knowledge may be acquired and may be tested at a later stage.

2517. You have said, in reply to Question 2273, that you are not inclined to favour the suggestion that a university degree should be made a qualification for nomination, because an ordinary pass degree is no test of high acquirements; but is there any reason why a degree in honours should not be made a condition, considering that that of course would be a test of high acquirements?—No; undoubtedly I should consider that a man who had taken high honours at either Oxford or Cambridge was a man who, as far as general training went, would be fully qualified for admission to the service.

2518. And supposing a man who possessed that qualification to be a candidate, would your Lordship be inclined to give him preference over another man who had no such qualification?—I should consider that a circumstance that ought to weigh considerably in his favour.

2519. Your Lordship is perhaps aware that there are in the consular and diplomatic services gentlemen who have passed through the univer-

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sity, and some who have taken high honours, as for instance Mr. Palgrave, Mr. Burton, Mr. Fane, Mr. Doria, and I daresay others?—Yes.

2520. Your Lordship is perhaps aware that a university education has been recommended by many authorities, as for instance by Lord Augustus Loftus, at page 103 of the "Reports from Her Majesty's Representatives respecting the British and Foreign Diplomatic Services"?—I will take that from your statement.

2521. And Mr. Hammond and Sir Henry Elliot recommended the same; your Lordship has not looked into that matter in these reports, perhaps?—No, I have endeavoured to explain my view upon that. I think that a university education in itself proves very little. I think that honours taken at the university prove at any rate a certain amount of ability and aptitude for study and for affairs; but I do not think that it would be desirable to exclude, even directly or indirectly, from the chance of entering the service those who from whatever cause may not have passed through the university.

2522. But your Lordship would be inclined to give a preference to a gentleman who had taken a degree in honours at the university, or to allow it to have some weight?—With regard to the pass degree, I do not attach much value to it. I should consider that a young man who had taken a degree in honours was a well educated man. I think that a university education, ending in honours, is a good education. What I say is, that it is not the only good education.

2523. To go to another point; would your Lordship be inclined to recommend that we should adopt the continental system in having houses at the principal courts for our ambassador or minister, the expense of which would be defrayed by Government, and where a table and lodging might be afforded to the junior officers, and that in case there being any objection, either on the part of the ambassador or of the secretaries, to live in that house, there should be an allowance made to them in lieu of it, as is done by the French and Prussians, and, I believe, other nations?—I am inclined to doubt whether for a minister to have all his staff resident with him in the same house is altogether a convenient arrangement. If there is any uncongeniality of disposition it is apt to show itself more, the more closely people are brought together.

2524. But of course there would be an allowance, in case that happened, in lieu of that arrangement?—The honourable Member must be aware that our practice has been very uncertain, very fluctuating, upon that point. At some capitals we have official residences; at others we have not. I think it might be desirable that an uniform system should be established one way or the other, but I do not think that it is very material which system is established, whether you find a house for your minister at the public expense, or whether you make him a certain allowance and leave him to find it for himself; but certainly I cannot say that there is any sound reason why the one rule should be in force at one capital and the other at another.

2525. I do not know whether your Lordship is aware that the transfer of the Straits Settlements (the application of this question will be seen directly) from the India Office to the Colonial Office was made by Sir Charles Wood?—The transfer of the Straits Settlements from the India Office to the Colonial Office originated, I may say, with me, and the arrangements were terminated by Sir Charles Wood.

2526. And the re-transfer of Persia from the India Office to the Foreign Office was also made by Sir Charles Wood; that is to say, that the superintendence of our relations with Persia was re-transferred to the Foreign Office when Sir Charles Wood was Secretary of State for India?—That is so.

2527. At that time Lord Russell was Foreign Secretary?—He was.

2528. Supposing Lord Russell and Sir Charles Wood to have agreed upon the re-transfer, is it likely that the Prime Minister would have objected to it?—The relations of various members of the same Cabinet are so entirely of a personal nature that I can hardly answer that question. Any act of that importance must be held to be the act of the Cabinet as a whole; that is a well-established principle.

2529. I put the question because some importance might be attached to the fact that Lord Palmerston was then Prime Minister, and it might be held to be his act; does your Lordship think that the opinion of the Viceroy of India is entitled to much weight with regard to the transfer of Persia from the India Office to the Foreign Office?—Yes, I should say that undoubtedly he was a person whose authority ought to have considerable weight.

2530. Supposing that the Viceroy of India had given a very strong opinion upon the subject, do you think that that opinion ought to have been considered?—Undoubtedly.

2531. And the opinion of the Council of India also?—Yes. You must of course in every case of that kind allow a little for the desire which every department generally feels to extend its jurisdiction.

2532. It has been stated that there is a totally different system of conducting relations with Persia when it is under the India Office from that which exists when it is under the Foreign Office; do you agree in that?—My experience of Persian affairs as conducted at the India Office was very brief, and during the time that I had to do with them nothing of much importance occurred.

2533. Sir *Henry Lytton Bulwer.*] Something was said about attachés being kept at distant places for a considerable period; I think your Lordship has stated that if they were so it was an affair of accident, and that they were entitled to be promoted; and if I understood the honourable Member's idea, it was that they ought to be so as a matter of course; now it very often happens that in those distant places men are peculiarly fitted for those particular posts, and that you may do a great deal of harm to the service if you take a man away from Persia, for instance, where he has been residing and knows the language, and put him to another place of which he knows nothing; in such a case the minister should consider the public service and not the particular individual, should he not?—I should agree generally in the doctrine that has just been laid down, only with this proviso, that if the individual in question were doing his work well, to the best of his ability, and efficiently, I do not think that it would be quite just to him to sacrifice his prospects to the convenience of retaining

taining him at one particular post. But I pprehend that in the majority of such cases, here a man has become perfectly familiar with he work of a particular office, he himself is not n general desirous of being removed, and in that ase one would rather endeavour, I think, to give im promotion where he is, and to keep him in hat place than to remove him elsewhere. No oubt cases of that kind may occur, but they ould be the exception rather than the rule.

2534. As you have had experience in appointments, I would ask you to explain something hich has often struck me as strange, which is, hat when consuls are doing particularly well, at ome place where it is necessary that they should nderstand the language, all of a sudden you nd that they are removed, and taken away from hat place and placed somewhere else where hey understand nothing: some man, perhaps, taken from America, or Russia, and placed in Turkey or in Syria; is that done upon any particular system, or is it a question of mere hapazard: I believe that the troubles in Crete, or instance, were almost entirely produced by aving consuls there utterly ignorant of the lanuage and of the people; those who were acquainted with them had been removed, and other ersons placed there who knew nothing of the sland, without any apparent reason; your Lordhip, I suppose, would consult the Under Secreary of the Consular Department in such a natter?—I can only say that I should be exremely reluctant, if the case were mine, to emove any consul from a country the language f which he thoroughly understood, and from a ost with which he was familiar, in order to lace him in another to which he was entirely ew. The difficulty that sometimes arises in uch case is, that when a man has done his work ell for a considerable number of years, he easonably thinks himself entitled to expect adancement in some form, and it would not be ltogether just to say, "Because you have done our work well in a subordinate post, and because cannot find anyone else who can fill it equally ell, therefore you shall be condemned to remain or the rest of your days in that subordinate post." ou will always have that conflict between the mmediate inconvenience produced to the service y such a removal, and the injury, as I conceive, hat would be inflicted upon the service by a ystem under which you did not reward your est men.

2535. I presume that if it is once known in he consular service, or in any service, that if a nan does well at his post he will remain there, nd get an extension of salary, and, in fact, be nade useful where he can be most useful, that ill be better than placing him where he can be f no service; then I would ask your Lordship his question: I think a great part of the disconent which exists at present in the diplomatic ervice is owing to its being overfilled; I myelf, for instance, have sometimes expressed a ish to have an attaché with some particular ualities, and I have had two attachés sent to ne who have had none of the qualities which I sked for. I found very often that the assistance hat you receive has been an incumbrance instead f an advantage: then you fill the professson; ll these gentlemen expect to get on, and you ave no means of getting them on, and they are iscontented if any person is placed in their profession who has not been brought up to it, and they are anxious, naturally, that the person should be put out of the profession, in order that the thing may go on: that being so, I would ask your Lordship whether you do not think that it would be advisable, in appointing attachés to particular posts, to ascertain from the head of mission whether he requires any more assistance, and, if he does, what are the qualities that he specially requires in the persons to be named to his mission, because at present I think no attention is paid to the head of the mission at all, and he is never asked the question?—With regard to not appointing more attachés than are required for the wants of the mission, the best answer that I can give is to state my own practice. During the time that I was at the Foreign Office the retirements and deaths, taken together, were 13, and the number of new attachés appointed by me was four. Therefore, if there is an overcrowding in the profession, I am not responsible for it.

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2536. That answers one part of the idea which I expressed; but there is this other question, whether you do not think that the head of the mission should be consulted in some degree when attachés are named to him, as to whether he wants any attachés, and, if he does, what are the particular qualities which he most desires?—I think, undoubtedly, that the convenience of the head of a mission, which is in fact the convenience of public business, ought to be considered; at the same time, there are two points of view in which you must look at an attaché who is entering the service. Looking at him from one point of view, you have to take into consideration the actual service that he is capable of rendering; looking at him from another point of view, he is a young man sent to a mission to be trained for future utility.

2537. I presume that the circumstance of our having had more men in the profession very often than you require, is due to the fact of not consulting the heads of missions as to whether they want more assistance; that you overburden the profession by sending them people that they do not want;—I, for instance, never required more than two persons to help me, and I have had treaties to carry on and a variety of other things to do; and I think that the great fault in our diplomatic service is that it is overstocked, and that it is overstocked without any reference to the requirements of those persons who have to conduct the diplomacy; therefore I should like to have your Lordship's opinion on the question, whether it would not be desirable in general, before adding members to a mission, to ascertain from the head of the mission whether he required that assistance or not?—I should certainly think that it would be desirable to consult the head of the mission. At the same time, in considering how many attachés are to be added to the service, the Secretary of State must look not to the wants of a particular mission only, but to the wants of the service in general.

2538. Then if you consult the head of every mission, you limit, to a certain extent, the whole number, and therefore that will restrain you from naming people as attachés who are not wanted?—I entirely agree with the right honourable Member that nothing could be worse for the young men themselves than to send them to a mission where they are not wanted, and where there is nothing for them to do.

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2539. I do not know exactly now, because there have been some new rules passed, what the authority is which the head of a mission has over those persons that are under him; it seems to me that he, being responsible to the Government, should have a certain power of selecting those persons who have been named to serve under him, with reference to the services which they should perform; now there was an order that came out which I always found every secretary too sensible to insist upon, which was, that if a head of a mission wished to have anything done, a report to be made, or anything, in fact, of that kind, he must give it to the secretary of his mission, and then the secretary of the mission had to select out of the members of the mission the one who was to do it; I do not know whether your attention was ever drawn to that?—No. I do not know whether I have been exceptionally fortunate, but during my term of office I heard little or nothing of complaints or disputes between the heads of missions and their subordinates.

2540. There is a regulation, however (which I say is not enforced to that effect), that if I, as the head of a mission, wished to have a report made upon the army, for instance, or anything else in Turkey or Persia, I should have to send to the secretary of legation, and say to him, "I want this report made," and he would have to select out of the members of the mission the person to make it; is not that a thing which separates the head of the mission from the persons under him, and very much damages his authority?—I was not aware of the existence of that regulation.

2541. Then, in promotion, is the head of the mission ever asked his opinion as to whether the persons who have been under him are qualified for it, and entitled to it from their general conduct; and does his opinion tell for anything in their promotion?—I should say that it did.

2542. Did you ever know any example of any head of a mission being asked the question; in the second examinations, does his opinion ever count for any marks, and in that way go for anything in the chances of promotion?—No, I believe not.

2543. Mr. *William Lowther.*] With regard to one question that has been put to you, has your Lordship ever had any complaints of consuls being inefficient in consequence of having been moved from one post to the other?—No, I have no recollection of any such complaint; but perhaps that is rather one of the weak points of the consular system, that everybody's business is nobody's business, and inefficiency in a consul, as long as he does not get into scrapes, is not very quickly or very easily detected.

2544. If chiefs were consulted as to what gentlemen they wish to have at their particular mission, do you not think that that might lead to favouritism, and consequent bad feeling in the mission?—As long as you ask a superior, be he the head of a mission or a superior officer in any other profession, his opinion of the services of a subordinate, to that extent undoubtedly you open a door to what may be called favouritism; but that is a difficulty inherent in the very nature of things, I am afraid. Perhaps I may be allowed here to modify an answer which I gave just now to the Right honourable Member. A question was put to me as to the special case of an attaché, or third or second secretary, who had resided for many years at some one post, and as to the inexpediency of removing such an individual. I think that I ought, in my answer, to have pointed out that under present regulations, that is a case that could not arise; the case which is supposed in that question is one which could only exist under a past state of things.

2545. Sir *Henry Lytton Bulwer.*] My question arose out of a question put by an honourable Member, who asked rather in the tone of a complaint, whether a person who had been long at a distant mission, was not entitled to be placed somewhere else. I suggested that he might have peculiar qualities which fitted him for that distant mission, and that in such a case it might be the duty of the Secretary of State to keep him where he was. But how is the regulation altered now?—My answer should have been that, under the existing state of things, until a man had attained the rank of a minister, that supposed case of his being fixed or immovable at a particular post for a considerable number of years could not arise.

2546. Mr. *Frederick Walpole.*] In Question No. 2373, you were asked, "If he were wanted you would, I presume, send out a special officer." Then the rest of the question is, "you rarely have in Europe special requirements and pressure of business in more than one court probably at once; perhaps you may pass a year or two without having any special requirements whatever; and yet under the present system you keep up a staff which is sufficient for extraordinary emergencies." The question being a long one, your Lordship forgot to answer the latter part of it. May I ask you whether generally special requirements at one place abroad do not involve pressure at another, and whether special requirements abroad do not also involve pressure at the Foreign Office at home?—The latter part of the question I should have no hesitation in answering in the affirmative. Where there is a crisis going on in any European capital, if it is a matter of any international importance, undoubtedly some extra work is thrown upon the Foreign Office; but I do not think that, as a general rule, you are likely to have complications in all parts of the world at the same moment.

2547. In the case of the Danish war, were there not complications at work in more than one of the European courts at the same time?—In more than one European court undoubtedly.

2548. Sir *Charles Wentworth Dilke.*] I wish to ask your Lordship whether your attention was ever called to a suggestion made by Mr. Grant Duff before the Committee of 1861, with regard to a system of competition which was neither exactly open competition nor limited competition?—That was that "the Civil Service Commissioners shall once a year hold an examination, open to all British subjects who are desirous of entering the diplomatic service; that the Civil Service Commissioners should then certify to the Foreign Secretary the names of the 12 candidates who have distinguished themselves most highly in such examination, and that from these 12 the Foreign Secretary shall select the persons who are to be appointed to attachéships during the ensuing 12 months"?—No, I cannot say that my attention has been particularly called to it. Giving merely my first impression of that, I should say that it was open to this obvious objection upon the face of it, that the whole of the 12 candidates could not be appointed to attacheships during

during the 12 months, and that those who were left out and who were not appointed in any succeeding year, would consider that they had a very legitimate cause of complaint; whereas on the other hand if their claims were carried on from year to year there would be no room and no cause for any fresh examination for several years to come.

2549. I take it that the suggestion would not contemplate their being carried on from year to year, but either a rule being made that they should not be so carried on, or else a strict limitation of age. Would your objection apply then?—I think the objection is, that out of those 12 you will turn some eight or nine, or perhaps 10, into the world with what they will consider a very legitimate grievance.

2550. If it were distinctly understood beforehand that only the number of vacancies that year would be filled up from within their ranks, upon what ground would that grievance rest?—I should put it in this way. Hardly any man could make it a grievance against a minister that he individually has not been selected from the whole mass of the British public to fill a particular place; but when, by a process provided for the purpose, the total number of those who have claims to the place is reduced to 12, then every one of those 12 considers, especially as he has probably gone through great labour to prepare himself for the post, that he is more or less illused in having another man preferred to him.

2551. Would it not be an analogous case to the promotion of a consular or a diplomatic officer. At the present moment you would have a certain number of persons from whom, by the practice of the Foreign Office, a selection would be made to fill any vacancy. Those persons would represent their claims to the Foreign Secretary, or would get somebody to do so for them. Would each of those persons feel aggrieved if he were not the person selected to fill the vacancy?—I am putting it in this way, that wherever you give a sort of partial claim to an appointment to each one among a very limited number of persons, those who among that number do not get that appointment are more disappointed, and more inclined to think that they have got reasonable cause of complaint than they would have been if their expectations had not been raised.

2552. Does your Lordship happen to know the system that prevails at the École Polytechnique in France?—I believe that it is one of strict competition, but I do not know the details of it.

2553. I believe it is almost that scheme, namely, that among a certain group of persons so pronounced eligible, the Government select a certain number, and the others go into the civil professions?—I admit that a plan like that would exclude all very stupid and incompetent persons, and to that extent it would be a gain.

2554. Your Lordship is not disposed to think, on other grounds, that it would be a good system to adopt?—I have a very decided opinion that if open competition, to which I am not at all on principle opposed, is to become the system of admission to public offices in this country, it would be better to try it, in the first instance, in the Civil Service at home.

2555. Sir *Henry Lytton Bulwer*.] I think I understood, with regard to a question that I put just now, that there is some regulation now for moving attachés and secretaries. I do not think there is a positive regulation that they should be moved every two years, is there?—That they may be moved; and they generally are within every three years.

2556. If they are to be moved then, there is a rule to the effect. If they are not to be moved then it is open for the minister to leave them or not as he thinks proper. If it is to be a positive rule, do you think it right as a positive rule that every attaché and secretary should be moved every two years from his post?—I was examined on that point on Monday. I think that the rule of moving second and third secretaries from place to place at not very long intervals of time is on the whole a good one. Undoubtedly it is open to some objection; but on the whole I think it is for the good of the service. As I understand the working of the rule at present, it is this, that no man has a right to complain if he is removed at the end of two years; and in practice he generally is removed within the three years.

2557. Mr. *Otway*.] With regard to this transfer of attachiés and secretaries, on which your Lordship has so correctly stated the rule and practice, I should like to know whether you do not think that it would be desirable to extend the time shortly to that which it was before this regulation came into force, namely, three years?—I will explain the reason of my question. It seems to me that two years is a remarkably awkward time, because by removing a man after two years you are depriving the legation of him just at the time at which he would be most useful in it. We may take the first year to be that in which he would acquire some knowledge of the language, and the second year to be that in which he would perfect himself in the business of the legation and knowledge of the language, and then we remove him; whereas the other practice was to remove him after three years. Do not you think that it would be desirable to establish a regulation of removal at the end of three years rather than two years?—There are advantages and there are disadvantages in doing so. It would undoubtedly be considered as a boon by the individuals upon whom that rule operates, because removal at the end of two years, if it takes place, falls rather hardly upon them, as it involves expense and inconvenience. And a man who has served two years at a mission is probably in his third year a more efficient public servant than he was in either of the two preceding years. On the other hand, if three years is fixed as the term instead of two years, there will be fewer removals in all, and he will have seen less of the various countries with which in his future diplomatic career he will have to do.

2558. In addition to the expense caused to the individual there is a considerable expense caused to the public by repeated removal, as your Lordship is aware?—There is some expense to the public.

2559. With regard to a question put to you just now, is it not in your opinion open to the head of a mission, and is it not in your opinion his duty, if he considers any attaché or any member of his legation inefficient, to report it?—I should say so certainly. But "inefficiency" is a very vague word, and no doubt a kindly feeling would make a minister unwilling to do that without absolute necessity.

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2560. Then I wish to ask your Lordship a question with regard to promotion by seniority; I think you gave an opinion the other day in favour of a mixed system of promotion to a certain extent by seniority, and to a certain extent by selection; is it not the case that a Secretary of State has ample means in his own office, the Foreign Office, of satisfying himself as to the capacity and the willingness of work of the men who are in the office; I should mention to your Lordship that the constitution of the Foreign Office and the system of promotion in the Foreign Office, have crept into our inquiry?—I do not think that a Secretary of State has very much opportunity of ascertaining from personal knowledge how the junior clerks do their work; he must take the opinion on that point of the head of the room; but I should say, speaking generally, that it is pretty well known in the office what every man is capable of, and what his general character as a worker is; the clerks are a small, a comparatively limited body, and among a limited number of men living together and working together ten months out of the twelve, every man's character and capacity become very well known.

2561. And you would have the further protection, if that word may be applied, of the opinion of the under secretaries who are brought more immediately in contact with the clerks?—Yes, I should say that the political head of an office, unless he has heen for many years in that office, will generally in questions of that kind lean very much upon the permanent under secretary, who is responsible to him for the discipline of the office.

2562. Does it not seem to your Lordship that it would tend to create emulation, and so improve the effective power of the office, if it were known that a certain number of promotions were to be made by the Secretary of State on selection, and on the recommendation of the under secretaries under whom the clerks work?—It cuts both ways. It would create emulation, but it would also create, I am afraid, a certain amount of jealousy and ill-feeling, because where the sphere of competition is so narrow it becomes every man's interest not only to make the most of his own services in the eyes of his employers, but to depreciate those of his colleagues.

2563. I wish to ask a question with regard to one observation that fell from your Lordship, in order to prevent any misapprehension; I think you have said that the few appointments you made to the diplomatic service were not appointments of sons of personal friends of your own, but I understand your Lordship rightly, no doubt, to mean that you were thoroughly acquainted with the character and antecedents, and that you had the strongest recommendation of these men?—Undoubtedly; I thought it my duty to inquire thoroughly into their antecedents and characters.

2564. You were satisfied that they were in all respects suitable persons to be members of the diplomatic service or you would not have appointed them?—Certainly.

2565. With regard to the constitution of the diplomatic service, many questions have been asked your Lordship as to the entry of young men into the service; is it not the case, from your own knowledge of the constitution of the diplomatic service in other countries and the state of society in foreign capitals, that it is essential that the young men in our diplomatic service should be men of a certain social position in, not alone that they should be gentlemen by mind and by character, which is of course all-important, but that really their social position should be good if they are to mix in the circles in foreign capitals which diplomatists generally are supposed to enter?—That would vary very much in different parts of the world; but I should say that, as a general rule, other things being equal, it was desirable to have in our diplomatic service men of the higher ranks of social life.

2566. At any rate, men suited to mix on equal terms with the diplomatic corps of other countries? — Yes, men of whom in point of manners and demeanour, and generally what constitutes gentlemen, you would have no reason to be ashamed.

2567. Mr. *Rylands.*] Your Lordship says "manners and demeanour," but I suppose we must not understand that you think that manners and demeanour are necessarily connected with birth?—No, certainly not necessarily with birth. I think that the society in which a man has lived and the kind of general culture he has had, have something to do with manners and social character.

2568. But if a young man, having had a good education, and subsequent training in the diplomatic service, came into a position as second or third secretary of the embassy in Paris, although he might not be connected with any family of a high station in this country, does your Lordship think that the mere fact of his not having that connection with a family of distinction in this country would prevent his being usefully employed if so attached to the embassy at Paris?—I do not think that the fact of a man having what is termed high connections is at all material.

2569. Viscount *Barrington.*] We were informed by an ambassador who was here the other day, Sir Henry Elliot, that he was in favour of admitting persons as attachés who had no intention of making the diplomatic service a profession, thereby intending that they should remain in the service a certain length of time, and not go through the second test examination, which he would make very severe, in order to secure getting good men; has your Lordship ever considered that subject?—I should not be disposed to alter the time or the character of the examination for the convenience of men who entered the service merely as a temporary pursuit; if such men will come into it, I think we may utilise them. I think it is so far desirable to have them that after serving a few years they retire, and thereby they do not block up the promotion; but I do not attach so much importance to such persons being in the service that I would alter, expressly for them, any arrangements with regard to examination that otherwise might appear convenient.

2570. Sir *Henry Lytton Bulwer.*] With regard to the statement that it is a rule and a practice to move from their posts the gentlemen in the diplomatic service every two years, does that mean that it is so without consulting with the persons themselves; that there is an imperative rule that even if the ambassador wishes them to remain, and they wish to remain, and they are useful there, they must be removed to somewhere else; is it, in fact, granted merely as a favour to the persons who are moved, or

or does it follow as a matter of routine in the Foreign Office, that they must be moved whether it seems desirable to themselves or to the chief of the mission, or not?—Not absolutely at the end of two years; but if a man had been, say, nearly three years at one post, I think the Foreign Office would say that he had been there long enough. The limit of two years, as I understand it, is intended as the minimum; he is not to have any cause of complaint if he is removed after the expiration of two years; in practice it is generally between two and three years.

2571. Mr. *Butler-Johnstone.*] Has not Pesth become a very important place, in consequence of the transformation of the Austrian Empire, and is it not very much more important now than formerly?—Yes.

2572. The Hungarian Diet sits there?—Yes.

2573. The court resides there every year a certain number of times?—Yes.

2574. The Imperial Delegates sit there and at Vienna alternately?—Yes, I believe so.

2575. Such being the case, however, we have no consul whatever at Pesth. Has not the transformation in the Austrian Empire rather made it requisite that an English consul should be placed at Pesth, considering the great importance which of late years Pesth has assumed in the Austrian Empire?—I do not think that a consul there would have much to do; he would have no special consular functions to perform.

2576. But we have a commercial treaty with Austria, of which the Hungarians have been the chief supporters, and corn is produced there largely, and there are, therefore, commercial relations between the Hungarian, as distinguished from the Austrian, and the English countries?—Yes.

2577. Would not a consul be useful in any questions arising say in the working of the commercial treaty with Austria, besides being a kind of diplomatic agent for the English residents there during the time the court was there?—With regard to the commercial part of your question, generally speaking if there is the want of a consul felt anywhere, the Foreign Office is pretty sure to hear. Merchants and traders who find any inconvenience to their business from the want of an official to attend to it, are sure to complain (and they are quite right to do so) to the Foreign Office. All, therefore, that I can say upon that point is that, as far as my recollection goes, there never has been a complaint of that kind, and I infer from that that the want of a consul for that purpose is not felt. With regard to the political part of the question, I think it is one, in the first instance, for our ambassador at Vienna. I think that the ambassador at Vienna must be held responsible for supplying all political information of importance, whether the events occur at Vienna or at Pesth. He might find it expedient to detach some member of his mission at a time when any business of importance was going on at Pesth; and I think that would be better than sending a consul there.

2578. We have a consul general at Warsaw, and at other places with no very great commercial functions to perform, I think. It would be something between a diplomatic and commercial agent that I should point to. Would your Lordship approve of that?—Perhaps I may be allowed to say upon that point, which you have raised with regard to Warsaw, that I have a very strong opinion on the inexpediency of removing men without any fault of their own, from places into which they have been put, unless one has an opportunity of transferring them somewhere else. Whenever a consulship falls vacant, I made it my duty to look minutely first into the question whether it was necessary that that consulate should be continued, and next if it was so, what the salary ought to be; but I did not think it my duty to consider the question of whether all existing consulates ought to be retained until a vacancy occurred in them.

2579. Through the transformation of Europe it is quite possible that some consulates would no longer be required, whereas other places might crop up where it would be desirable to have a consul. Pesth would seem, would it not, from the late transformation of Europe, to have become one of those places where it will be desirable to have some sort of agent between a diplomatic representative and a consul?—If I were responsible for the management of foreign affairs, I should prefer to take the opinion of the ambassador at Vienna on that point.

2580. In the places where we have consuls general their functions are mixed, diplomatic as well as consular, are they not?—Yes.

2581. The leave of a consul general is the same as the leave of a consul, and the leave of a consul is under less advantageous conditions than the leave of a minister; but if the functions of a consul general are more or less diplomatic, would it not be a boon that they have a right to expect, that the consuls general should have the same conditions of leave as our diplomatic agents?—Undoubtedly it would be a boon. They are, as the honourable Member puts it, in a sort of mixed position, partly consuls, partly diplomatists. I can hardly say that it would be a boon which they would have a right to expect that for purposes of leave they should be treated as diplomatists, but undoubtedly it would be a boon which they would appreciate.

2582. A boon which they would appreciate, and which no very great inconvenience to the public service could arise by conceding to them; and, moreover, they have a good deal of hard work?—They are not many in number, and I do not think that the change proposed would be very material.

2583. Mr. *Frederick Stanley.*] I wish to ask your Lordship a question on the subject of Queen's messengers. Have you ever given your attention either to a reduction of their number, or to a reduction of the upper class of messengers, in favour of the constitution of a lower class of messengers?—With regard to the reduction of numbers, I am afraid that I never have looked into that question quite as closely as it deserves to be looked into. There is some difficulty about the subject, because in a time of general European peace you may, no doubt, dispense with a considerable number of these messengers, but if a time of general European war were to occur you might want them again, and then it might not be easy to lay your hand upon them. That is the general argument against a large reduction; but I believe that since I left the Foreign Office some reduction has taken place.

2584. A suggestion has been made that in case of an insufficiency of foreign messengers, in consequence of a disturbance such as that which you

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you have mentioned, the number could be supplemented for the occasion by clerks or other persons from the Foreign Office; in your Lordship's opinion would that be practicable?—A time of general disturbance, such as that contemplated in the question, would probably be a time which would not give much leisure to the clerks in the office. Again, a man may be quite conversant with Foreign Office work, but may not be a very good hand at making his way in a disturbed country, where, it may be, he would meet with all manner of obstructions and impediments.

2585. Then I gather that you would attach importance both to the habit of travelling, and to the acquirement of foreign languages, for the persons employed as Queen's messengers?—Certainly; a Queen's messenger ought to have a sufficient knowledge of foreign languages to enable him to make his way about the Continent, and he ought also to have the habit of enduring great fatigue, and generally to be accustomed to travelling, otherwise he would be at a great disadvantage.

2586. There is one question I wish to ask you upon another point; it was suggested by Sir Henry Elliot, in the evidence which he gave before this Committee, that in some cases a reduction might be made in the number of the junior members of embassies and missions by the employment of persons not in the service as private secretaries to the ambassadors or ministers; has that suggestion ever come before you?—I am not aware that it has; I suppose that there would be no objection to an ambassador or a minister employing any member of his family, or any person who might be staying in his house, as his private secretary; and to a certain extent, no doubt, that would lighten the work of his official staff. It would have to be clearly understood, I think, in the event of any custom of that kind being established, that a man did not, by serving in that way as private secretary, acquire any claim to be taken into the public service; that is always the difficulty of employing unpaid service, that those who receive no present pay generally imagine themselves to have some reversionary claim, so to speak, upon the State.

2587. It will explain it better if I read the question, which was No. 915: "Take Constantinople; could you reduce the number of the second secretaries if you had a private secretary?" And Sir Henry Elliot's answer was: "Yes; it would be no economy; it is not as a measure of economy that I propose it, because he would have as private secretary the same pay as a second secretary; but it is merely to prevent the block, and to relieve the service." Taking it in that point of view, would the suggestion meet with your Lordship's approval?—Not if the private secretary is to be paid; I would rather that the pay went, and that the training which that office gives went, to a member of the regular service.

2588. Mr. *Arthur Russell.*] Does your Lordship consider that a Foreign Secretary can be responsible to Parliament for his foreign policy if he is precluded from choosing his own agents for the higher posts of diplomacy, and they are imposed upon him by some rules and regulations?—I consider that he would be responsible to Parliament for the policy which he pursues, because that is a matter which ought to originate, and must originate, with the Cabinet; with the Foreign Office in the first place; and if it is in a matter of more than departmental importance then with the Cabinet as a whole. I do not think that anything that is done by ministers abroad ought to relieve him of that responsibility; but undoubtedly if matters have gone wrong, and he were able to show that they had gone wrong in consequence of the blundering of some minister or ambassador, it would be a very strong point in his defence if he had had no option as to putting that person in the post which he held.

2589. His action would be crippled if his agents were imposed upon him?—Yes, but I do not contemplate that by any plan that has been proposed it is intended that men should rise in regular rotation from one grade to another.

2590. With regard to Sir Charles Dilke's question as to Mr. Grant Duff's plan, I did not understand whether that applied to the higher ranks; what would be your view on that point?—Without expressing any opinion on the merits of the competitive plan of entering the service, I apprehend that any such plan would leave the Secretary of State perfectly free to regulate subsequent appointments.

2591. Mr. *Rylands.*] But in regard to the highest posts in the service, the agents of the Foreign Secretary are now to some extent imposed upon him by their being in the position at the time when he comes into office?—That undoubtedly is true.

2592. Would your Lordship then apply your remark to that state of things, and say that the fact of an important diplomatic agent abroad, having been appointed without the consent of the Foreign Secretary, would be any excuse for him in the event of the management of the diplomatic affairs of that country going wrong?—To a certain extent a Secretary of State is responsible for every ambassador and minister in the service, because he has always the power of removing him. At the same time it is well understood that that is not a power which should be exercised, except for very grave reasons; and I should certainly hold that a Secretary of State was in a far higher degree responsible for the conduct of a minister whom he had himself appointed than for the conduct of a minister whom he had not appointed, but whom he found there and whom he had merely abstained from removing.

2593. Does not that seem to furnish rather a strong argument in reference to the most important missions in Europe, that the persons filling those missions should be nominated by the Foreign Secretary actually in power?—I think that the inconvenience of that would be very great. I do not know who would devote himself to diplomatic work if his tenure of office was to depend upon the stability of a Government at home.

2594. But that is assuming that the occupants of these highest posts should be trained diplomatists; but in the event of their being filled by public men connected with the political party in power, the particular objection that you have just now raised would not apply, would it?—That question was partly argued, I think, on Monday. I object to the proposal now made on two grounds. In the first place, I have a most decided objection to widen the scope for political patronage. It is, I think, one of the great dangers of a Parliamentary Government like ours. Political patronage means this, that a man gets an appointment in a certain profession, not because he is thought likely

ely to do the work of that profession better an another man, but because he has been of me use, or some relation of his has been of some e, at an election. Look to what that leads. In e first place, it is impossible to deny that there some element in it of corruption, and I think very undesirable for that reason. And there the additional disadvantage that practically it cludes one-half of the eligible candidates at ch particular time from the employment to hich that rule is applied. Putting aside all her objections, I think it is exceedingly objecionable that there being perhaps only a certain umber of men eminently qualified to hold cerin posts, one-half of those should, at any given me, be excluded because their opinions are not ose of the Government in power.

2595. Then would you say in regard to e six or seven leading missions of Europe hich must necessarily be filled, in the event of is plan being adopted, by men of such great minence as to prevent its being considered that here was corruption, that there would be much ompetition for those posts?—I am not prepared o say whether you would have a very keen competition for those posts. If you had, then they ould be looked upon as prizes and political rewards which could only be gained by political ervice; and we all know what that means. If, n the other hand, they were not looked to as reat prizes, then you would have a still worse tate of things, because they would be going egging.

2596. Mr. *Otway*.] Is your Lordship aware of ny service in any country, access to which is btained solely by merit; if it is not obtained y political or Parliamentary interest, as in this country, is it not obtained by the favour of the Emperor, as in Russia or Austria. Is not admission to the service in all countries regulated more or less by interest with some one in power, and in America especially so?—In America I believe that it is entirely a matter of party patronage; I have always understood so.

2597. With regard to the influence of politics in diplomacy; from your Lordship's experience, are you of opinion that the politics of any diplomatist has any weight with the minister in appointing him to a post?—I really think, speaking for the last 15 or 16 years, that this has not been the case to any appreciable degree; my own share in the distribution of patronage has been very small, and therefore I may say so; but I believe for the last 15 or 16 years diplomatic patronage has been distributed with little reference to party politics.

2598. Should I be far out if I were to affirm that your Lordship is entirely ignorant of the politics of many of our leading diplomatists, whether they are Conservatives or Liberals?—I think that many of these gentlemen have devoted themselves so entirely to the diplomatic career that they are not in any decided sense partisans.

2599. There is no relation in diplomacy more intimate, I presume, than that between a Secretary of State and an Under Secretary of State, or that between a minister and his private secretary. Am I right in saying that your Lordship and Mr. Layard, whose politics differ, both had the same gentleman as private secretary?—Yes; and I may take the opportunity of saying, that he discharged the duties of that position for both of us in a most efficient manner.

2600. In the diplomatic profession politics are not considered you may say?—You may say the same thing, I think, of the permanent Civil Service of the country. In the Foreign Office, till lately, the permanent under secretary was understood, I will not say to be, but to have been, a member of one political party, and the assistant under secretary of another, but I never understood that that circumstance caused the slightest difficulty in the working of that office.

2601. Sir *Henry Lytton Bulwer*.] There is only one position, I think, to which party feeling would be applicable. For instance, if an ambassador is a peer, he has certain duties to perform in Parliament, and those duties he cannot perform without being a party man. When that party goes out, ought he not to go out with it, and if he remains with the party which is opposed to that whose side he has been taking in his own country, does he not, to a certain degree, lose cast and weight with the government to which he is accredited?—I think that would be entirely a question for the individual to consider. I should take it for granted, as a matter of good taste and good feeling, that any man serving in a permanent diplomatic mission would not take an active part in home politics against the Government that he is serving.

2602. But, if he is a peer, does not his duty call upon him to do so?—That is a case of conscience. I should say that he might fairly consider that his functions as a peer were merged in the more active duty that devolved upon him as a diplomatist.

2603. Mr. *William Cartwright*.] I think that an honourable Member of the Committee has suggested the idea of dividing the consular service between shipping consuls and non-shipping consuls; I should like to know whether, from your experience of the Foreign Office, you think that the correspondence of consuls could easily be divided into the category of political and non-political correspondence, so as to separate the two, and to leave the one to the Board of Trade and the other to the Foreign Office?—Yes; I do not suppose that there is any necessary connection between the political and the commercial correspondence.

2604. The categories could easily be made out between the two classes of consuls?—I should apprehend so. If that were the only objection I do not think that that is a great one.

2605. Sir *Charles Wentworth Dilke*.] You expressed, I think, your preference for the Queen's messengers over Foreign Office clerks, used as special messengers, on the ground of Queen's messengers possessing a larger acquaintance with foreign languages?—No, I did not put it on that ground.

2606. The question was put into your mouth; it was suggested that that was the reason, and I understood your Lordship to assent to that?—No; I spoke of a greater acquaintance with the habits of travelling; a man may be an excellent clerk, who would certainly be knocked up if you set him travelling 1,500 miles, night and day.

2607. I believe as a matter of fact, with regard to the knowledge of foreign languages, only French and one other language is required from a

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Queen's messenger; and, in practice, if he knows French, very little more is required?—That is the fact as a general rule; but it does not follow because they are generally only required to know French that none of them are ever required to know more, and of course if it were a question of sending despatches in times of difficulty through a disturbed country you would pick out a man especially qualified for the urpose.

2608. Could you not in the same way p out a man especially qualified from the Fore Office, and one not particularly likely to knocked up?—Undoubtedly you could find m whether in or out of the Foreign Office, w would be capable of undertaking that du but you would have to look for them, and i convenient to have a few such men ready hand, available at a moment's notice.

Mr. William Dougal Christie, called in; and Examined.

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2609. *Chairman.*] How long have you been in the diplomatic service?—I was altogether about 15 years in it; first of all, for a short time, in what was the consular service at that time.

2610. Where did you serve in that department?—My first appointment was as agent and consul general in the Mosquito country, which is in Central America. I received that appointment in 1848, and about three years afterwards I was appointed secretary of legation at Berne.

2611. How long did you serve in Switzerland?—I was in Switzerland nearly four years, and for about two years of that time I was in charge of the legation; I was chargé d'affaires altogether for about two years. Then at the end of 1854 I was appointed chargé d'affaires and consul general at Buenos Ayres. My departure for Buenos Ayres was delayed for a considerable time, owing to a quarrel which had occurred with the government of Buenos Ayres, my predecessor, Captain Gore, having been expelled by the government, and also owing to civil discussions in the Argentine Republic, which ended in the separation of Buenos Ayres from all the other provinces of the republic; and ultimately I was sent out with the rank of minister plenipotentiary to the government of the other provinces. I was sent as minister plenipotentiary to what was then called the Argentine Confederation, of which Buenos Ayres did not form a part.

2612. Were you subsequently in Brazil?—I was in the River Plate as minister to the Argentine Confederation for about three years, and during that time I went up on a special mission to Paraguay; and in the end of 1859 I was appointed minister in Brazil. I may mention that, in the interval between my leaving Switzerland and my going out as minister to the Argentine Confederation, I was employed by Lord Clarendon for some time in the Foreign Office in connection with Central American questions, which at that time were rather prominent; and during the time that Mr. Hammond was away from the Foreign Office with Lord Russell at Vienna, I was employed in the Foreign Office on Central American questions.

2613. That was, I presume, in consequence of your knowledge acquired in the Mosquito country?—Yes, and there was a question of my being sent out on a special mission to the Central American Republics; but on representations made by myself to Lord Clarendon, that I thought that there was little or no prospect of my being able to be of any use there, he gave up the idea. I was appointed minister in Brazil at the end of 1859, and I continued to hold that appointment until 1863, when, after proceedings in Brazil which attracted at the time very great attention, the reprisals executed by me under Lord Russell's instructions, and after the suspe sion of diplomatic relations with Brazil, in co sequence of those proceedings, a pension w assigned to me, and I have not since been e ployed.

2614. You are still on retirement, on a pe sion?—Yes.

2615. Open to re-employment if the Forei Office should again wish to employ you?—T condition of the pension is liability to re-emplo ment, and I should forfeit my pension, at le according to the law I should do so, if I refus to serve in any mission of the same rank, or o superior rank to that in which I served before.

2616. Then I understand that you first reg larly entered the diplomatic service as a secreta of legation, and not in a lower grade?—Yes, was first in the diplomatic service as a secreta of legation, having been for three years befo agent and consul general in the Mosqui country.

2617. That consul generalship was more in th nature of a political than a commercial positio I suppose?—The duties were entirely political.

2618. Are you aware, from your knowledg of the diplomatic profession, whether your a pointment in that way, from the outer wor into the diplomatic service, to a high post, was a singular nature, or have there been any othe similar appointments?—At that time it wa common; at least it was not at all unusual; ther were instances, I think, about the same time. may mention that I had been in the House o Commons for about six years before, and ther were instances at that time of ministers bein appointed from the House of Commons. For in stance, Mr. Shiel was appointed minister a Florence, and Mr. Wyse minister at Athen from the House of Commons.

2619. And Captain Gore also?—Captain Gor was appointed chargé d'affaires and consul gener from the House of Commons. But that offic was at that time under the consular establish ment. But there were instances of secretaries o legation being appointed who had not previousl been in the service. Sir Charles Murray wa appointed secretary of legation at Naples, no having been previously in the service; and Si James Hudson was appointed by Lord Aberdeen secretary of legation at Washington, having never been before in the diplomatic service And there were instances of similar appointment up to the year 1859; that is about ten year ago. Lord Chelsea, the present Lord Cado gan, was appointed in 1858 secretary o embassy in Paris; he had been an attaché many years before for a short time, but to all intent and purposes he was a stranger to the professior then.

2620. From

2620. From your knowledge of the profession ould you say that those appointments at that ne were regarded with jealousy and disappro-tion by the profession?—Any such appoint-nts of course caused disappointment to several ntlemen who having been for a long time achés were looking for promotion. An ap-intment of that sort could not take place with-t causing disappointment to several individuals; t at that time it was common, and at that time was quite understood, that attachés had not the ne strong right to promotion which is now nerally conceded, and which, in fact, regulates e present practice.

2621. In those days the admission to the ser-ce was a pure nomination, without examination any test being applied?—Yes.

2622. And we have understood that there were great many gentlemen who entered the diplo-atic profession who did not intend to pursue it a regular professional career, but merely to quire a knowledge of public business and reign countries?—Yes; and that was very uch because promotion was not so much a right en as it now is.

2623. In fact it was less of a regular profession an it is in our time?—Very much.

2624. What is the amount of your pension?—900 a year.

2625. Was that calculated upon your length service, or upon what basis?—I should not ve been entitled to any pension if it had not en made out that I had had 15 years of service. he amount of the pension depended upon the ct of my having served as a minister for five ars abroad. That service was compounded of rvice in the River Plate, where the mission as a second class mission, in no case leading to ore than 900 *l.* a year, and of service in Brazil, here, if I had been able to make out five years service, I should have been entitled to a pen-on of 1,300 *l.* a year after 15 years' service together.

2626. It was a sort of composition of the two rounds of claim?—I could only benefit by the ve years of service in the rank of minister of a econd-class mission, because I had not served ve years in a first-class mission; but if I could ave served two and a-half years more in Brazil, r any other mission of the first class, I should ave been entitled to a pension of 1,300 *l.* a year.

2627. It has been suggested to the Committee at there would be considerable public and poli-cal advantage in the class of the South Ameri-an missions being of a higher character than ey are now; have you any opinion on that oint?—I may mention perhaps that I have had he advantage of reading the evidence given by Ir. Hammond on that subject, and I am aware hat he has expressed a strong opinion on it. I ust say that my opinion is decidedly contrary o his. I think that there is no reason for raising he rank of our representatives anywhere in outh America. In some cases I think it may e advantageously reduced, and I am of opinion hat some saving may be effected, and desirably ffected, by a reduction of the rank of our repre-entation in South America, which would of ourse involve more or less a reduction of pay.

2628. Are you prepared to go into particulars s to that, and to enumerate the cases in which ou think that a reduction might be advantage-usly effected?—I would say generally that the nature of the duties in the South American mis-

sions is very different from that of the duties in European missions.

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2629. As you have had experience of both perhaps you will explain that further?—If you will allow me to make a few general remarks I think I could explain my reasons better in that way before descending to particular appointments. The duties of a British minister in the South American missions refer, I may say, exclusively now (for since the cessation of the slave trade in Brazil there are really no political duties there) to the protection of British subjects and of commercial interests. There are no questions of policy with respect to which you desire to influence the governments, or in which it is of any European importance that we should exert influence, and in that way it is not so important there as it is (and as I heard it, on Monday, explained by Lord Derby that it is) in European missions, that the rank of our representative should be determined by the rank of the representative of any other European government. I am quite alive to the importance in European missions of our having representatives of a rank which would enable them to hold their own with the representatives of other European courts. For instance, if I may be allowed (I think the Committee will see that it bears on the general subject) to refer to my own experience in Switzerland. I was in charge of the mission for a considerable time at two periods. At one time there was a very serious question, which might at any moment have led, and indeed was expected to lead, to hostilities between Austria and Switzerland. I was then chargé d'affaires. It was a very critical period for Switzerland. My responsibility was great, and I have the satisfaction of saying that my conduct was entirely approved, and in very high terms, by Lord Clarendon, under whom I then served; but being only chargé d'affaires, I should have been under a great disadvantage if the Austrian representative at that time had had the rank of a minister; he was only chargé d'affaires. At the other period to which I refer, there was a very serious question with France. It was immediately after what is known as the *coup d'état*, and it is a matter of public history that an invasion by France of Switzerland was expected then. It was stated in the House of Commons shortly afterwards, and therefore I am not telling a secret in mentioning it. I was in Switzerland in charge of the mission. A new French minister appeared; he was specially sent. I of course was disappointed when Lord Granville, who was at the time Secretary for Foreign Affairs, determined to send our minister to the spot and to relieve me of my duties as chargé d'affaires, but I am quite satisfied that Lord Granville did what was right, because it was very important that England should be represented at that moment by a minister who could take a sufficiently high tone with the French minister in the conversation that would take place. The mere fact of sending a minister at that time to Switzerland had a great moral effect, and I believe that it contributed in some degree to a satisfactory settlement of the differences between Switzerland and France.

2630. It was represented to us that, to a certain extent, though there may not be the same questions of international policy between us and the South American States, yet there are questions in which other nations also are interested,

who

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who have representatives there, and that we stand at a disadvantage compared with them in consequence of the superior position of their representatives?—Speaking of those parts of South America which I know (I was never on the Pacific side, in Chili and Peru), and specially of Brazil and Buenos Ayres, which are our two chief missions, there was no representative there of a higher rank than ours, and the emoluments of the English minister in Brazil and the English minister in Buenos Ayres are superior to those of the minister of any other country.

2631. I rather understood you to say that you would propose to reduce the position of the English ministers there rather than to raise it?—I believe that a chargé d'affaires at Buenos Ayres is all that is wanted. Lord Palmerston reduced the appointment from the rank of minister to the rank of chargé d'affaires at the time when he appointed Captain Gore to Buenos Ayres. It was done by him deliberately; and when afterwards I was sent out as minister plenipotentiary to the Argentine Confederation, then distinct from Buenos Ayres, it was done in consequence of representations made by an Argentine minister, who was sent over expressly for that purpose, that they would be very much gratified by having a representative of the rank of a minister. Those representations were made both to the English Government and to the French government, and I believe I am right in saying that the French government determined to accede to that representation, and in consequence of the course taken by the French government, Lord Clarendon determined to send me out with the rank of minister plenipotentiary. I of course was not sorry to have that superior rank; but I feel quite satisfied that in Buenos Ayres a representative of the rank of chargé d'affaires and consul general is all that our interests require.

2632. How is it now?—Now there is a minister; it has always remained so since. With regard to Brazil, Brazil is an empire. The Emperor of Brazil has family relations with European dynasties, and there are one or two ministers sent to Brazil for that reason. Russia, for instance, sends a minister to Brazil solely on account of family relations. I certainly do not think that there is any need for a change in Brazil in the way of increase of the rank of our representation, but my belief is that a minister plenipotentiary, that is, making it a second class mission, would be ample for Brazil. I am aware that it has been stated by Mr. Hammond in his evidence, which I have read, that representations were made from the South American governments that they would feel very much flattered by having higher representatives than chargé d'affaires and consuls general; that they would be very much gratified by having a representative of the rank of minister. My experience is that, in yielding to similar representations, we (I speak frankly) gratify the vanity of the South American governments; and when it comes to our wanting anything from them, when it comes to our requiring them to do what is right (because, of course, we do not want from them anything but what is right), we do not find them at all disposed to remember what we have done to gratify them.

2633. There is no greater facility, in point of fact, for the transaction of the public business in consequence of that additional rank?—I fear that, from peculiar circumstances, opinions which I may give on this subject may be supposed t be attended with prejudice; but I know tha there are statements before the Committee, bot in published reports from our representative and in the evidence which has been already given which quite accord with and support my opinio as to the character of the South American go ments. Sir Henry Howard, for instance, wh was formerly minister in Brazil, has stated i his report to Lord Clarendon, which is befor the public, that they are all of them semi-civilise communities. Mr. Hammond also has spoken o them as not well-ordered communities, and ha thus drawn a distinction between them an European governments. I quite agree in thos remarks; I do not go beyond them, but I quit agree in them, and I refer to them because, as said before, it may be supposed from peculia circumstances that I may be prejudiced agains the South American governments. You can ge nothing from a South American Spanish govern ment, in my opinion, except through the influenc of hope or fear. If you can lead them to hop for anything, or if you can inspire them with fea you may get what is right, otherwise you cannot

2634. Do you mean that nothing is to be go from their sense of justice when that sense i properly appealed to?—I am sorry to say that m opinion is that that is the case. Lord Russel stated publicly in a despatch with regard to thos events in Brazil which led to reprisals, that w had been mocked by the Brazilian governmen for a long period with "evasions, subterfuges and unfounded assertions." That is strong lan guage, but it really is not stronger than th occasion required, and it correctly describes th whole history of our proceedings with Brazil going back to negotiations with regard to th cessation of the slave trade and to the time o Sir James Hudson, who had similar difficultie with the Brazilian government to those which had afterwards to encounter, and whose repre sentations to it were always in as strong a tone if not stronger, than any which I had occasion t make to it.

2635. You have to settle no doubt several more or less commercial questions and commercia difficulties when you were in the River Plate a minister there. Should you say that you had no superior advantage as a minister to what you could have had as chargé d'affaires, if you had been merely chargé d'affaires; that that gave you no additional help in getting those things settled? —I went out to the River Plate at a peculia time, and I had peculiar advantages for settling a number of questions, which I did satisfactorily settle during the three years that I was there.

2636. But do you think that you could have settled those as satisfactorily and as conclusively if you had been a mere chargé d'affaires with a lower diplomatic rank, and therefore less important perhaps in the eyes of the government at that time?—I do not think that I should have had the same advantage then if I had only the rank of chargé d'affaires; but that brings me t make this observation: I think that with those governments, when you want anything special done it might be, and probably would be, sometimes desirable to send out a special representative with a higher rank, and a higher rank on that occasion would be the more appreciated on account of the ordinary and normal rank being a lower one. It would be considered, of course, a special compliment; and when a special object had

had to be gained, there is no doubt whatever that that compliment would aid you: it certainly could not have the opposite tendency. I may mention, to show that this is not a new opinion, that during the time that I was minister in Brazil, after I had been there about 18 months I came home on leave of absence, on account of ill-health, and during the time that I was at home I represented to Lord Russell, and to the Foreign Office, that there were a number of questions which had to be settled (some had been very long unsettled), and having opened negotiations about these questions with the Brazilian Government, and being at that time on the best possible terms with them (indeed I was always on excellent terms with them until I was called upon to have reprisals executed), I yet thought that it would be desirable to send out a special representative even of the highest rank of an ambassador for the purpose of settling those or some other questions; and of course in giving that advice I was quite aware that I was not likely to be the person selected to go out with that additional rank. Lord Russell did not think it expedient to do what I suggested. I went back to Brazil, and I was unable to settle any of those questions, and none of them are settled yet. I see that statements have been made about the Prussian Government having resolved that they would give a diplomatic rank to their representatives in the South American States. I understand that merely to mean that, instead of having consuls they propose to send chargé d'affaires and consuls general to the South American Republics. As regards appointing ministers resident instead of chargé d'affaires and consuls general to the South American Republics, which has been recommended, I observe that it is stated that it would not necessarily lead to an increase of pay; but my impression is that an increase of rank always does lead in the end to an increase of pay. The increase of pay is not made at the time, but representations are afterwards made, and the increase of pay is afterwards granted. And there is no doubt whatever that every representative abroad proportions his expenses to his rank. For instance, when I was minister in Brazil, following many others, my emoluments were larger than those of any other foreign representative. It was of course necessary that I should live in a very expensive country in a manner proportioned to the rank which I held, and to the amount of my salary and allowances, which were not too much, I am sorry to say, for my expenses there. If I had been only a chargé d'affaires much less would have been expected from me in the way of representation; and practically it comes to this, that an ambassador, a minister, or a chargé d'affaires lives and spends according to his rank, and according to his allowances, which generally are proportioned to his rank.

2637. Speaking generally, with regard to your emoluments when you were in Brazil, were they adequate to the position which you were called upon to fill, as the representative of the English Government?—I cannot say that they were inadequate; the salary of our minister in Brazil is a large one, it is 4,000 *l.* a year, with an allowance of 700 *l.* a year for house rent.

2638. Did that sum provide a house?—It is intended for a town house and a country house; however, I may state that Brazil is a very expensive country. And I may mention that I made an arrangement which other ministers who succeeded me probably have not made; but my health rendered it impossible for me to live in Rio, because I suffered dreadfully from asthma when I was there, and was unable to live there two days without being prostrated by it, and therefore I lived all the year round in a place called Petropolis, high in the mountains, and made that my chief residence. I explained it to the Foreign Office, and had their sanction to this arrangement, and in that way I had only one house, namely, that at Petropolis. That was a house on a scale becoming my position; I had not a house in Rio; if I had had a house in Rio also no doubt that the expense would have been greater. I think that an additional 200 *l.* a year had been granted a few years before by the Foreign Office, on Mr. Scarlett's representation; he asked for an increase of salary, and they allowed 200 *l.* a year for a country house When I represented the matter to the Foreign Office, they allowed me to consider this additional 200 *l.* a year as a contribution to the general expenses of the minister.

2639. Mr. *William Cartwright.*] Were the offices at Rio?—All the work was done in Petropolis, and there was no occasion for an office in Rio; the work in Rio was of that nature that I had very seldom occasion to see individuals, and individuals very seldom had occasion to see me. The work with the Brazilian Government is done almost entirely by their own wish, by their own plan, and by their predeliction, by correspondence. They dislike interviews. There was, moreover, telegraphic communication between Rio and Petropolis. I could get down in four hours on a summons by telegraph; and whenever it was necessary to go down on public business, of course I went down, and whenever any British subject wanted to see me in Rio, it was understood that I was ready to go down.

2640. Where would you see them?—At an hotel, and with those members of the diplomatic body in Brazil who lived in Rio, who were single men (and several of the ministers were single men), it was the practice to live at hotels.

2641. To board at a public hotel?—As you would live anywhere else.

2642. Mr. *Otway.*] Had you no permanent public offices at Rio?—No, I had no office, except a room in my house at Petropolis. All the diplomatic staff were at Petropolis with me, and they came to my house, and to that room in my house, which would be the office, to do what work was necessary. Very often, perhaps generally, they took work home with them to do it; that was a very convenient practice.

2643. *Chairman.*] Is Petropolis a town of resort for the leading people in Rio?—It is a place where the court resides during the very hot months, and indeed all the leading people, and the members of the diplomatic body, go there during what they call the summer months. And there were other ministers who, like myself, lived there all the year round; for instance, the Russian minister.

2644. Do you think that it would be an advantageous plan that the public should provide residences at these missions for their representatives, rather than make an allowance for house rent, or is an allowance the preferable plan?—I think it is most desirable that a residence should be provided at every mission, and that that residence should be in the main furnished.

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2645. And should be the permanent place for the representative of England?—Yes, and that would be an immense convenience. My experience is mostly confined to distant countries and places where it is difficult to establish oneself. If a minister going newly to a country were to find a house in the main furnished, he would be relieved of a great deal of trouble and embarrassment. Of course he is subject to a great deal of unnecessary expense by being put to it to find a house when he first goes there, every advantage naturally being taken of him as a stranger and as a minister. There is not only trouble and embarrassment and expense for him at starting, but when he goes away (and ministers are apt to be often moved) he has to sell all his furniture at a very great sacrifice; and besides the advantage to the individual minister, I think such a plan as is suggested would be of very great advantage to the public service, because it would ensure a uniform establishment and uniform appearance in our foreign missions. If, to revert to Rio, I had found a house there such as I have recommended, I could not have discontinued it, and I should have selected a country house in Petropolis, going there as much as I could, but at the same time keeping the house in Rio as the head-quarters and as the office of the mission; but there being no such house I felt myself quite justified, and I was supported in that course by the Foreign Office, in arranging for one establishment at Petropolis, and I avoided the expense of buying furniture for two houses.

2646. From your experience in Switzerland, could you say the same thing as to Europe, that it would be preferable for the public service that the minister and the diplomatic body should have a house rather than an allowance for it?—Yes; being a stranger to Switzerland when I went to take charge of the legation there, I confess that I was surprised to find that there was no house for the minister or for the chargé d'affaires, and that all the archives were kept in a temporary lodging which was occupied then by a gentleman who had only the rank of an unpaid attaché, who had been there alone representing the legation. They had been moved to that lodging on the departure of the previous chargé d'affaires. And that is another advantage resulting from having a permanent mission house, that the archives will not be subject to continual removals, by which they cannot but suffer, and by which they do often suffer.

Monday, 9th May 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. WILLIAM DOUGAL CHRISTIE, re-called; and further Examined.

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2647. *Chairman.*] UPON the question of leave of absence, have you any opinion to express to the Committee about the existing rules, which you are no doubt aware of?—I suppose you are asking with reference to the special complaints which have lately been made by ministers. I think that it is a decided grievance for ministers, first that they are not allowed any time of absence on full salary as secretaries are, and secondly, it is a grievance that while the ministers or ambassadors who are near England can come home very easily, and at little expense, distant ambassadors and ministers (and the question of distance does not refer only to the South American missions) are obliged to consume a great deal of time in travelling, and that therefore a regulation which appears to be equal is really not equal as between distant ministers and ministers who are near England. I have observed that Sir Henry Elliot and Sir Andrew Buchanan, the one at Constantinople; and the other at St. Petersburgh, have complained, and I think justly, that although they cannot come home easily every year (Sir Andrew Buchanan has a large family) as the ambassador in Paris or the minister at the Hague or at Brussels can, they are not allowed to run two years' leave of absence into one, which even secretaries are allowed to do, there being a special regulation for the benefit of secretaries in that respect. Certainly I think it would be fair that a distant minister, if he is unable to come home every year, should be allowed to have double the leave every other year that he might otherwise have each year. Myself, coming from Rio on leave of absence, I was mulcted, like every other minister, to the extent of what was necessary for the payment of the chargé d'affaires during 60 days from leaving my post, and after that I was put on half salary. But to come from Rio to England and go back, nearly 60 days are consumed in the travelling.

2648. As a point of fact, whatever leave of absence you practically got at home, you were upon half-pay all the time, or nearly all the time?—Yes.

2649. With respect to the question of reduction of staff in the larger missions, do you think that that would be effected in a way advantageous to the public?—I will answer that question by saying that I think that the system should be entirely changed. I am prepared to submit to the Committee a different scheme for the diplomatic service from that which now prevails. My belief is that all the objects of the service could be best attained (and my scheme would involve a reduction of staff, and probably some saving) by first of all allowing every ambassador or minister a private secretary.

2650. Paid by the public?—As the heads of departments at home and colonial governors are allowed private secretaries, for whom a salary is provided by the public, and such a private secretary should be the subject, if thought necessary, to a test examination; but I should say myself that the public would be safe in the hands of the ambassador or minister, who would naturally select a person whom he knew well and who would be likely to be an efficient assistant. I am very strongly of opinion that in any case ambassadors or ministers should be allowed private secretaries. The work which an ambassador or minister has to perform is, to a very great extent, of that nature which specially requires the assistance of a private secretary, a gentleman whom he knows well, with whom he is on terms of confidence, over whom he has an influence, because he has selected him, and because his position depends upon the approval and confidence of his chief, and who would live with him in his house; and an ambassador or minister would, of course, wish to have the power of selecting a person who was to live with him in his house. I do not at all agree, indeed I do not understand the tone which was taken by Mr. Hammond in his evidence given by him before the Diplomatic Committee of 1861, on that subject. He seemed to be quite astonished at the idea of an ambassador or minister abroad wanting a private secretary. He said, "What can he want him for? It can only be for his household affairs." Now private secretaries are granted to Cabinet ministers and colonial governors, not for household affairs; a Cabinet minister's private secretary is not a household

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household servant; he assists him, and assists him very much and in very important matters, in the conduct of public business; and I venture to add my very strong recommendation to that which has been given in the reports lately presented, in Lord Lyons's reports for instance, both in 1861 and now. Sir Henry Elliot also has recommended it, and Lord Wodehouse, whose opinion I have the greatest possible respect for, recommended it before the Committee of 1861. I think that the power of an ambassador or minister to have a private secretary is really essential for the good of the diplomatic service, and that the work would be very much better done in every way; much more to the comfort of the minister as well as to the advantage of the public service if a private secretary were allowed.

2651. Would you have him a confidential employé of the minister himself, and not a gentleman in the public service?—I should consider the private secretary of an ambassador or minister just as the private secretary of the Foreign Secretary, or the First Lord of the Treasury, or the Governor General of Canada or governor of any other colony, is considered. And I think also that among these private secretaries you would have a nursery for future diplomatists; it would be an excellent training; and I think that, without giving them a right (and I do not think it at all desirable that such a right should be given to any class) of promotion to high and responsible appointments, you would get a number of young men well trained, having the best opportunities of seeing public business, and of whose character you would have, through their chiefs, the best means of gaining knowledge, who might afterwards be appointed to higher posts in the service.

2652. Is not the idea which you seem to have of a private secretary very much the idea of an attaché, a gentleman of honour and ability, and of good address, who can be in confidential relations with the minister or ambassador, and copy his correspondence, and write letters of a confidential character, a duty with which he could be entirely trusted?—I believe that he would essentially be exactly what the attaché in former times was really. The attaché of former times was a gentleman selected by the ambassador or the minister; but in process of time, and more particularly of late years, I think that the attaché has really been turned into what should be a clerk. The attachés are now put to perform duties for which in former days there was really only what is now called the first secretary of legation; the old system was that which is now called first secretary; the secretary of legation was the only subordinate appointed by the Secretary of State for Foreign Affairs, all the others were gentlemen selected by the chief to aid him in the way which he thought most desirable, more or less, according to the rank of the chief, or according to the importance of the mission; and he had his own friends around him, and they were, in fact, considered (it is the old phrase) members of his family.

2653. Then, in fact, you would be to a certain extent for going back to the old system which has been changed in recent times?—Yes; I think that we should be going back to one of the virtues of the old system which has been lost.

2654. The new system having developed a defect in the direction of which you speak from the want of intimate confidential relations between the minister and his subordinates?—Yes; an ambassador or minister now has generally no voice in the selection of any of the secretaries. That was stated distinctly by Lord Stratford de Redcliffe before the Diplomatic Committee of 1861.

2655. He is not consulted in any way with respect to the gentlemen who are attached to him?—If I had not heard Lord Derby's evidence the other day, I should have said in the most positive way that he never was. I have now served since Lord Derby became Foreign Secretary; I have no doubt that he stated what was his practice and his desire; but my own belief is, that, with very rare exceptions (perhaps for example in the case of the ambassador at Paris, who is near at hand and is an important personage), an ambassador or minister is never consulted; and I heard Sir Henry Bulwer's opinion to the same effect.

2656. Then I understood that you would accompany that change with a change of the character of the permanent officers on the diplomatic staff?—Yes; I think that the rest of the work should be done and would be better done and done more cheaply, probably to some extent though I do not attach so much importance to the mere saving of pounds, shillings, and pence, by having only a secretary of embassy or a secretary of legation who should superintend a staff of clerks such as are in every colonial governor's office, the secretary of embassy or the secretary of legation corresponding with a colonial secretary.

2657. These clerks would be permanent officers attached to each mission to do, as I understand, simply clerical work; is that the scheme?—They would be attached to each embassy or mission, but in carrying out any scheme and making any regulations you must take into account the different circumstances of missions. There are different classes of missions in Europe. I believe that in some of the smaller and less busy missions in Europe you may dispense with the secretary of legation altogether, and that the work could be easily done (for instance, in Switzerland, at Stuttgardt, and at the Hague, and there may be one or two other places, but I know more or less about those) by the minister with the assistance of a private secretary and a good clerk.

2658. When you were chargé d'affaires at Berne, what was the assistance that you had there?—For some time I was quite alone, and had no assistance.

2659. Did you do all the formal part of the correspondence yourself, the copying of despatches fair, and that sort of thing, with your own hand?—Often with my own hand, with the assistance of my wife sometimes. Sir Edmund Lyons had been there as minister shortly before I took charge of the mission, and I can state that Sir Edmund Lyons was for some time without any assistance, and copied out his own despatches, and had Lady Lyons to help him to do so. I do not think that was at all a proper state of things.

2660. What was the ordinary permanent staff there at that time, if it had been its full complement?—There was a secretary of legation (that was my appointment, but I was in charge then) and one attaché, and for a great part of the time the

at attaché was an honourable Member of this ommittee, Mr. Cameron.

2661. Mr. *Cameron.*] There was one unpaid taché besides the secretary of legation?—Yes; was for some time alone, and it was necessary r me to be in Berne every day for passport ork; and I wrote to Lord Palmerston saying at I wanted to go away for a short tour in witzerland. There was then an attaché who ld the appointment, but he had not come, and was not convenient for him to come; and I ked Lord Palmerston to allow me to authorise n English resident in Berne, for whose respectbility I could vouch, to act for me in all formal atters while I was taking a short tour. That as allowed me, and after that he sent an taché, Mr. Berkeley, who afterwards died in exico, and I think Mr. Cameron succeeded r. Berkeley. And I think that I was in charge gain while Sir Charles Murray was minister, nd I then did all the work alone, without any ssistance at all, as Mr. Odo Russell says that he as been doing his. I should say that it would e very much better in the case of a mission like witzerland, and other similar missions, to let he minister have a private secretary, who would ve with him in his house and would be a friend f his, and to give him a clerk, who can in all uch places be generally selected on the spot, nd the place would be his home. There used be a clerk of that sort at Stuttgardt, I remember, at the time when I was in Switzerland. hat is with reference to the smaller missions; ut with reference to the large embassies, the mbassies now in Paris, Constantinople, and ienna, and such places, I should say that you ight have under the secretary of embassy two ts of clerks. The superior clerks might be erks of the same sort as you have in the oreign Office, and I should think that it would e a very desirable extension of the Foreign ffice clerk system if there were a number of erkships for the embassies and the superior issions, to be considered as on a par with the oreign Office clerkships. The young men spiring to them should pass the same exmination, and they might be drafted to Paris to Constantinople or to Vienna, as they hose, or as was thought desirable by the Secretary of State; and I would have in that way in ach of the embassies or superior missions of urope, two clerks, or one clerk of a higher chaacter, and others, copying clerks, clerks of a ower class who should not look to promotion, ut who at the same time should be paid enough o keep them, and keep them respectably. And am quite certain that there would be no difficulty in finding clerks of that sort, either in the oreign capitals, or you might choose them in ondon and send them from London to Paris, or ienna, or Constantinople.

2662. Do you think that the character of the ork of a mission should be so adjusted and ivided that that which was of a highly confiential nature should be intrusted to the one lass, and that of an ordinary nature to clerks of nother class, who are not quite so trustworthy r incorruptible?—I was not contemplating a disinction between confidential clerks and others. My opinion is that they should all be confiential. I remember the phrase of Lord Malnesbury before the Diplomatic Committee of 861, when he was recommending or acquiescing n the advisability of a permanent clerk at some

of the missions, he said emphatically that it should be a confidential man; you must not employ anyone whom you cannot trust. And I believe that honour is to be found in all classes of Englishmen, and I do not believe that there would be any difficulty in finding copying clerks who can be generally trusted as well as gentlemen of the higher classes of society. At the South American missions of Buenos Ayres and Brazil I depended a good deal upon clerks for my assistance. There was a very excellent clerk at Rio, and there is a clerk whom I appointed myself at Buenos Ayres, with the modest salary of 150 *l.* a year.

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2663. An Englishman?—An Englishman of humble position, but he was educated, and of course I did not appoint him without ascertaining that he was a perfectly respectable man. He knew everything going on in Buenos Ayres; he went up with me to Paraguay; secrecy was desirable there towards the people of the country, and he never betrayed me, and I would not doubt his honour.

2664. Mr. *Otway.*] May I ask his name?—His name is [ ]; he is still clerk at Buenos Ayres.

2665. You are not aware that he has been dismissed?—No, I thought I saw his name in the last list. He had been there a great number of years, and Mr. Thornton had so good an opinion of him as to recommend him for the consulate at Rosario, which would be a very great promotion.

2666. I only mention the fact of his dismissal; you understand that I do not express any opinion as to the justice of the quarrel between him and Mr. Mathew?—I thought he was still employed; I thought I had seen his name in the late Foreign Office list, but still he was employed till comparatively recently. However, an exception proves the rule, it is said, and I retain my opinion that you may trust generally to the honour of clerks of that sort as much as to the honour of others.

2667. *Chairman.*] Do you contemplate economy in point of expense, or greater efficiency by such a change; what is the object of the change?—I contemplate much greater efficiency. As regards such a change in the European missions, I do not think that you would gain much in the way of economy, though I think probably there would be a saving rather than otherwise. But I contemplate a very great gain in respect of efficiency.

2668. In what way; would the clerks be more skilled and practised hands than the young gentlemen who are now sent out from this country to learn the business of diplomacy?—I think that they would work much more regularly, and they would be much more under the control of the ambassador or minister. First of all, I would in my plan make the secretary of embassy or the secretary of legation a much more efficient assistant to the ambassador or minister than he now is. I would put him at the head of this office consisting of clerks, and I would require from him much more regular work and a greater amount of work than he now does in most missions.

2669. Is not the work of a mission essentially very uneven and unequal in its distribution, sometimes very heavy and sometimes very light?—I should say that in an embassy or busy mission it was not so. Of course there must be

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differences; in a distant place a great deal depends upon the post day; but still in an embassy or a large mission there must always be work for a certain number of clerks more or less. In a small mission very often there is little or nothing to do, and certainly in such a mission I should say that there ought not to be more than a private secretary and a clerk to assist the minister. Sir Henry Elliot has said in his report (and there is not a better authority, and of course every ambassador or minister writing in that way writes with some reserve and moderation), "If the rules laid down by the Foreign Office Circular of November 1860, respecting the duties of the secretary of embassy and legation, were more commonly observed, it would facilitate the reduction"; that of course means that the rules are not observed generally by the secretary of embassy and legation; "for at present," he says, "in many missions the secretaries do no chancery work whatever, and simply remain in reserve in case of the absence of the chief." Then I should say in the Brazil mission, though a first-class mission, there is not enough to employ the secretary of legation if he has not to do chancery work, and has not to do copying work. I am far from wishing to subject a gentleman of the age and position that a secretary of legation generally is, to drudgery; but I say it is better not to have one at all, if you cannot so use him, but much better to have an efficient working man. You find, I think, in those reports from our representatives abroad, many statements by chiefs of missions, saying that they cannot think of subjecting a secretary of legation to copying work, and that he ought not to be put to copy. I quite agree in that sentiment, that the secretaries of legation, as they now are, are beyond the age at which it is at all proper that they should be put to copying work; but in an embassy, or in a busy mission, there is a very great deal of work to be done which the secretary of embassy or the secretary of legation can properly do, which he would take off the hands of the chief, and as to which he would assist the chief, but being, of course, always the chief's subordinate, and all the work that he does appearing in the end under the name and under the responsibility of the chief, just as all that is done by an Under Secretary in the Foreign Office appears under the name and under the responsibility of the Secretary of State for Foreign Affairs. In a great many missions, Sir Henry Elliot has told you, that the staff is larger than is required, if the men are kept really at work. Now Mr. French, who was for a long time in charge of the mission at Madrid, at a most important time, when there was a great deal of the sort of business which occurs at the Madrid mission, has written something very much to the point, and very strong. He says that during the whole of that time he had only the assistance of two gentlemen, "Mr. Ashburnham, attaché, and Mr. Hunt, clerk and assistant" (now this is a clerk who has been used for the general work of the mission) "to get through an amount of work," he says, "such as I have never seen in any other European legation, as it has been daily and without intermission;" and he adds, "two men who work so well, and with such good spirit, are preferable to double the number with less zeal and activity." I heard Sir Henry Bulwer state, the other day, in this room, that during the whole of his career, and in the most important post that he has ever held, and at the busiest time, he has never wanted the assistance of more than two men; and I may say that at Rio, during my busiest time, for all the time which preceded the termination of my career there, during all the negotiations and discussions which ended in the reprisals, I was really assisted only by one attaché.

2670. Mr. *Otway.*] What was the staff at Rio at that time?—The staff was a secretary of legation, one paid attaché, two unpaid attachés, and then there was a clerk and translator, Mr. Morgan, who was a very old man, but was an invaluable assistant for work, and did all, I may say, of the routine work of the mission, and a great deal of copying beside.

2671. To prevent any misapprehension, may I ask you to explain why you were only assisted by one; did the others decline to assist, or were they incompetent?—The secretary of legation was absent. The gentleman to whom I have referred, and who gave me this assistance, was the paid attaché; one unpaid attaché declined to come down from Petropolis to assist me, on account of his health; and either the other unpaid attaché was away on leave, or there was no appointment at the time.

2672. *Chairman.*] It would not do at a distant mission to have no reserve force, and to be always working at your highest pressure, I presume?—I am not recommending that the staff should be reduced to one attaché, but my belief is that at Rio all that is wanted is a secretary of legation, with two or three clerks. You may observe in Mr. Thornton's Report from the United States, that he refers to the Rio mission he succeeded me at Rio, and he says: "My experience certainly is that it might be reduced for instance, when I was appointed to Rio de Janeiro, the staff was a first secretary, two second secretaries, and one third." This nomenclature did not exist in my time, but the second secretaries correspond to the paid attachés, and the third secretaries to the unpaid; in my time it was one second secretary and two third secretaries. Then Mr. Thornton adds: "It was certainly more numerous than was necessary, and has perhaps been since reduced." I do not know whether it has been reduced or not.

2673. When you talk of clerks, I understand you to mean gentlemen who have no further hope of promotion to higher grades of the profession, who should be employed in that sort of work which you have described, and never look to rise to the eminent posts of diplomacy; is that so?—Certainly; in the case of a mission like Rio I should not recommend clerks who would look for promotion in the diplomatic profession; but the chief clerk, for instance the clerk corresponding to the clerk and translator whom I had when I was there, and who has since died, or any superior clerk, might be encouraged, I think, with the hope of a consular appointment.

2674. Then to that extent it would be little more than a mere change in name, as I understand?—I do not mean to say that necessarily they should be raised to consuls; that probably would be in rather exceptional cases; but the clerk would be a much more permanent and stationary assistant than attachés, or, as they are now called, secretaries are or can be.

2675. Then you would keep the service alive, as I understand it, rather by employing ultimately

timately the services of gentlemen who you ommend should be first introduced as private cretaries; you would keep the current of the rvice going by a supply for the higher branches it from those gentlemen?—No; I think that u might also look to clerks in the Foreign lice as another nursery.

2676. Then you would have an interchange of rvice between the Foreign Office and the plomatic service?—I am not prepared to say at I would have a regular interchange between em in the way of going backwards and for- ards, but I think it would be a very good thing there were inducements held out for clerks in e Foreign Office of ultimately having appoint- ents of responsibility abroad. A diplomatic ppointment in Europe, for instance, would be a ry proper promotion for a Foreign Office clerk. ometimes it is an advantageous move to make ne of the junior Foreign Office clerks a secre- y of legation.

2677. That has been done in former time, not nfrequently, I believe?—I do not remember ny instance at present; it has not frequently een done; I have known a case of a Foreign ffice clerk being sent to be Consul General in ne Sandwich Islands, and another, Mr. Back- ouse, who went to the Havannah; and Mr. ridges Taylor was appointed Consul at Elsinore, nd he was formerly Lord Malmesbury's private cretary; that has not been frequent, I think.

2678. *Mr. Kinnaird.*] If I understand you ghtly a clerk would render much more assist- nce, and you could give him direct orders to do thing, and such orders as you could not give the same way to a gentleman in the position f attaché?—Certainly, there is a very important ifference, that one feels that one can obtain the ssistance of clerks on different terms from those n which one receives it from attachés who are ent out by the Foreign Office, who depend en- rely on the Foreign Office, who in a distant nd disagreeable mission look to getting away as oon as they can, and who have not any per- anent interest in the legation.

2679. And that clerk being resident, would arry on the traditions of the missions to the ext comer?—Certainly that is a very important oint, and I should like the Committee to allow ne to refer to the terms on which I made that ecommendation in 1861. I recommended then ery strongly that there should be always a per- anent officer at every mission. It was recom- ended also at the same time by Sir Alexander alet, though perhaps less strongly than by ne, and also by one or two others. Some f the Members of the Committee seemed to ke the idea very much, but Mr. Hammond was ery strong against it. I see now that Lord loomfield urges very strongly the necessity of permanent translator at Vienna. You may equire and expect from every member of the iplomatic service a sufficient knowledge of rench to enable him to be a competent trans- tor, but I should say that in every mission here the language of the country is not French, ou ought to have a perfectly competent trans- tor, on whom you can always count; and now ord Bloomfield, writing from Vienna, urges in ne strongest manner the importance of a perma- ent translator at Vienna, mentioning the great nconvenience which he has experienced during ne conduct of important negotiations from the ant of such a person, and from the continual moving of attachés, which renders it impossible for him always to have what he wants. In the same way Lord Cowley spoke before the Committee of 1861, of the great inconvenience that he had experienced in Paris from the want of some one always there. And now I observe that Lord Lyons speaks with great satisfaction of the advantage which he derives from having a permanent officer of that sort. Mr. Atlee is the permanent officer in the Paris embassy; he is registrar and librarian, and gives assistance in all sorts of ways. Now, with reference to a difficulty which I have heard suggested, that such a permanent officer would require leave of absence as attachés do, and want to go away to England, and then how is the work to be done; I should say that it would be very practicable and always desirable to find such a person whose home is on the spot. Mr. Atlee's home is in Paris, and his family live there. Lord Cowley made him first his private secretary; and, ultimately, on Lord Cowley's recommendation, through his interest, he was made an attaché in the service. I may point to him as an instance of a gentleman who, belonging to the middle classes, was selected for a permanent office in a mission, and who continues to enjoy the confidence of the ambassador; and I may mention him as a counterpoise to the instance which I mentioned of the Buenos Ayres clerk, whose appointment, as it appears, has not been quite so fortunate as I had hoped, and believed it to be. The Committee will allow me, perhaps, in support of my recommendation of a permanent officer, to refer to the words in which I expressed myself in 1861. Writing then to Lord John Russell for the information of the Diplomatic Committee of 1861, "I would suggest for consideration whether a plan adopted in some legations of having a permanent officer not belonging to the regular diplomatic service, and variously named clerk or keeper of the archives or registrar or translator, might not be extended and consolidated. There is no legation in which there would not be advantage in the presence of an officer of the class of clerk, or what is called in the French service, 'chancelier,' who, fixed in the country, or not liable to frequent changes of place like the attachés, would be familiar not only with the language, but with the customs of the place; would be well acquainted with the minor officials, and capable of advising a new minister in matters requiring local knowledge, and of settling many questions which only require for settlement a good understanding with police or other authorities; would keep the archives in order among the mutations of minister, secretary, and attachés, and would do much of the work usually done by attachés. There is hardly a foreign capital in which some respectable Englishman, already settled there, might not be found capable of filling such a post, and willing to undertake it for a reasonable salary, even without prospect of advancement. Hopes of advancement might, however, be furnished by occasional promotion to consular appointments. The duties of such officers would, of course, be more arduous and require higher intelligence and education in some missions than in others; where a translator is wanted, the clerk might also be translator, as in the case in the Brazilian mission. There would also be occasional opportunities of promotion of such an officer from one mission to another. Should the payment of all attachés be thought

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thought of, the number of attachés and the expense attending such a change might be diminished by the organisation of a class of clerks." This clerk has been called very often, I find, keeper of the archives; but there would be no work sufficient to occupy a clerk if it were confind to keeping the archives in most missions. I would have a person who could be useful in various ways, as keeper of the archives, as translator for copying, and for conducting the routine business. And with reference to a former recommendation of mine, that there should be always a residence for a minister, in the main furnished, and with an office, it would of course be necessary that there should be a permanent clerk who would look after the house and the furniture, and who would take care of the archives also, and take care that everything went on right between one minister and another. As to the confidentiality of persons of that sort, I would ask your attention to the persons employed in a large mercantile establishment. There is an honourable Member present, the head of a very great mercantile house, at the head of a very large number of clerks who come from the middle classes and not from the highest social class in England, and I am sure he would say, from his own experience, that he has no difficulty in finding generally gentlemen of honour for mercantile clerks; and I had the satisfaction when in Buenos Ayres of receiving there and of acting with a leading clerk in the house of Messrs. Baring, who was one of the most superior and estimable men that I have ever met with. He went out there as agent to settle the question of the Buenos Ayres loan, and I am sure that he would have made a very good chargé d'affaires there. Mr. White was his name.

2680. Mr. *Rylands.*] In your last examination, you informed us of the duties which you had fulfilled in connection with the diplomatic service, and stated that you were retired, I think, in 1863, on a pension?—In 1863.

2681. Since that time you have not been employed?—No, I have not.

2682. I believe that in an election address you stated that Lord Russell had endeavoured to make an arrangement for appointing you as minister to Switzerland on your return from the Brazils, but could not then make a vacancy?—Yes, I did state so, and it is perfectly true.

2683. Did that arise from the belief that, from your knowledge and experience in Switzerland, you might fairly expect an appointment to a mission there?—Of course I do not know what motive operated with Lord Russell. I am here in a position in which I always feel that opinions which I may give may be considered as tainted with prejudice. I am a pensioner against my will, and have not been employed for more than six years. I was put upon a pension at a time, and in a manner, and under circumstances which cast a slur, as I consider, upon my character. And wishing to say as little as possible on the subject, but asking for a few moments' indulgence from the Committee, I certainly am anxious to state, as I state very boldly and positively, that whatever may be the public impression (and I pretty well know what that public impression is), my conduct in Brazil, on an occasion which created I may say sensation in England, in calling upon the admiral to order reprisals on Brazilian vessels, was not only approved by the Government, but was approved by Lord Russell, under whom I acted, and whose orders I executed, i the most entire and cordial manner. My retire ment is in no way connected with anythin relating to the manner in which I performed m public duties; and my services, during the whol time that I served, were entirely approved o And as to the conduct of those reprisals, Lor Russell's words to me in private were, when came home, that I had done the right thing, an that I could not have done it better; that I had in respect of conciliation, exceeded my instruc tions, and that both he and the Cabinet though that I deserved great credit for the conciliator manner in which I had replied to the irritating and indeed provoking, notes addressed to me b the Brazilian minister for foreign affairs. I candour I should add, that I had a question a that time with Lord Russell, respecting th secretaries, or some of the secretaries, under m I have always considered (and I should be wan ing in proper courage, I think, if I were not t say here what I have said privately) that I wa ill-used after my return from Brazil. But I d not wish to dwell upon that subject, because am able to say that some 12 months or there abouts after my being put on a pension, I bein in correspondence with Lord Russell, and con tinuing to complain of my not being employed Lord Russell wrote to me that I mistook m position, and that he had desired, when I cam home from Brazil, to appoint me minister i Switzerland, and had asked Admiral Harris to g from there to Brazil, but that Admiral Harri declined doing so, and therefore the matter ha dropped; and he added words which I considered understanding them as I should understand an letter coming from an English nobleman or gen tleman, to mean that I was to look to re-em ployment.

2684. The question which I put to you ha entirely a public bearing; the fact is that yo have been on pension since 1863, and the pur port of my question was to ascertain whethe any circumstance had occurred which woul have enabled the Government of the day to giv you employment and so save the pension; I un derstand that you have not had any such employ ment offered?—I have had none offered m since; Lord Russell did not offer me any em ployment before he ceased to be Foreign M nister in 1865.

2685. And you have not had any offer fro any other Foreign Minister since that time?— have not had any.

2686. How long were you minister in th Brazils?—I held the appointment of minister i Brazil for nearly three years.

2687. You were appointed minister plenipo tentiary on the 2nd September 1859, were yo not?—Yes.

2688. And you remained there until 1863?- I came away in the beginning of 1863, but at th time when I arrived in England I was not quit ripe for a pension, there were still a few month or a few weeks, I think about a couple of month wanting before a service of 15 years from m first commission, which was a commission a agent and consul general at Mosquito, could b made out; and I was informed by Lord Russe that I might look to having a pension as soon a that time of 15 years was completed. I was no put upon the pension until some month in th autumn, and I then received information that had been recommended for a pension on accou

f the discontinuance of the Brazilian mission by
ie suspension of diplomatic relations.
2689. Is it your opinion that the rank of our
epresentatives at Rio, and the expenses of our
iplomatic and consular establishments in Brazil
ight be reduced?—I stated that opinion the
her day. The Chairman asked me then whether
was prepared to go into detail and submit a
heme, and I am quite ready to go into detail
the matter, and I had indeed intended to ask
be allowed at the beginning of my examina-
on to-day to complete that part of my evidence.
have made out a memorandum on that subject.
2690. I am asking you about Brazil only, and
e had better keep to Brazil for the present;
hat is your view as to Brazil on that question?
-I am of opinion that in Brazil as in Buenos
yres, and in some European missions similarly
tuated where there is a distinct consular esta-
ishment as well as the mission, the consular
tablishment should be suppressed, that is,
at it should be merged in the mission; and
plying that to Brazil to which I understand
ie question refers, a considerable reduction
ould be made by carrying out that plan. We
ow have a minister there with a staff, and
esides that a consul whose salary and allowances
e 1,800 *l.* a year, making a total, I calculate, of
000 *l.* for the mission and the consulate. The
dinary duties of the minister in Brazil (and it
the same with the minister in Buenos Ayres)
e, as I stated the other day, duties almost en-
rely relating to commerce and to the protection
British subjects, and obtaining justice for
em in the cases which arise continually, and
ey are duties which could be ordinarily
lequately performed by an officer of the rank
chargé d'affaires and consul general, which I
elieve is the highest rank which is really
quired for our interests in Brazil; but apart
om that, even if the rank of the mission were
ot reduced from envoy extraordinary and
inister plenipotentiary to a chargé d'affaires
id consul general, you might still save a great
al of money by suppressing the consular
tablishment as a distinct one (and there really
no need for two sets of correspondence, one
om the consul's office, and the other from the
inister's office) and having all the work done
der the staff of the minister and under the
neral superintendence of the minister, with the
d of a secretary of legation, whose duties would
such as I have before suggested, and who
ould be called on to do more work than secre-
ries of legation now ordinarily are.
2691. Then you would suggest that any con-
lar work that might arise in the Brazils, and
fact in any other similar missions, should be
alt with by a sort of consular officer within
e mission?—I think that in all missions,
hether in South America or in Europe, where
e capitals are ports, and where you now have
consular establishment distinct from the mis-
on, all the work could be done and should be
ne by the mission, and that the separate con-
lar establishment should be suppressed. I
ve made a rough calculation by which it ap-
ars that in that way you might save from
0,000 *l.* to 12,000 *l.* a year. That includes
urope as well as South America.
2692. In the case of the Brazils, to which you
e now alluding, I see that there is at Rio a
consul at 1,000 *l.* a year, with an additional
llowance of 800 *l.* a year, and a total of 1,823 *l.*

for consular duties, which in your judgment might be saved by the plan that you would adopt?—I think that there would be a great saving, a saving of from 4,000 *l.* to 4,500 *l.* at Rio alone, by carrying out that plan. I was asked the other day about my living in Petropolis, and not having an office at Rio. I may state that in Rio the greatest part of the work was work which went to the consular office, and was done by the consul; there is a large body of permanent residents there, very few visitors travelling through as there are in many European capitals, and really the greatest part of the current work is done by the consul. Now all that might be done by the mission under the immediate superintendence of the secretary of legation, with a clerk under him, or more than one clerk, who might be particularly assigned for consular work.

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2693. You do not see any reason why a permanent official in connection with missions at places such as Rio should not attend to consular duties in addition to the keeping of the archives in the mission?—I would have the different subordinates, whether clerks or secretaries, employed by the minister under the minister, in such ways as he thought necessary for the work of the mission.

2694. But it would also appear, from your reply, that you thought there should be a permanent officer in connection with these missions, who, if he were permanent, would naturally, I suppose, be the proper official to deal with questions of a consular character; would not that be your opinion?—If the plan which I strongly recommend, of merging the consular establishment in the mission, were adopted, of course it would be necessary then to employ one or more of those immediately under the secretary of legation in consular work. But at this moment, if things are not changed, the clerk and translator of the mission already assists the minister in copying, as he assisted me; and I find that Mr. Mathew, the present minister in Brazil, talks of his assisting him; and certainly he would have no time to work in the consular office as things are.

2695. But you would see no difficulty in the consular duties being performed by one of the staff of the mission?—Certainly not; and of late years, since I ceased to be a minister, the minister's attention is directed very much more to commercial subjects than it was before. It is new to me that there is a division of despatches from ministers into political and commercial; but, since Mr. Forster's Committee, the Foreign Office has received an impulse, I suppose, and has given an impulse to commercial business at the missions; and the change which I recommend of merging the consular establishment in the mission where the capital is a port, would, I think, go in the same direction, and tally with the course which the Foreign Office has been lately taking.

2696. Then the same views which you have just expressed would equally apply to European missions similarly circumstanced; take, for instance, Copenhagen; you would say that in Copenhagen a similar arrangement might be made?—I think that there is no consul at Copenhagen; there is a consul at Elsinore, and I do not know the distance of Elsinore from Copenhagen. But there is a consul at Stockholm as well as a minister, and I should certainly say that all the work of the consul there might be

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done, and should be done, in the mission; whatever work there is for a consul or vice-consul to do at Stockholm might be done by an officer of the mission.

2697. You would of course recommend that in that case the fees for the fulfilment of the consular duties should be paid to the mission?—Of course the consular fees would be paid then to the mission as they are now paid to the consulate. But I would also recommend, and I recommended it in writing before the Committee of 1861, that fees should also be received for similar work in our missions as well as in our consulates. I cannot see any objection to fees being paid in missions for work done as fees are paid in consulates. Mr. Hammond before the Committee of 1861 strongly objected to that as an innovation. He did not state any reason for his objection, but I suppose he thought that it was degrading to ministers to have these fees received. But I do not see why there should be more degradation to a mission in the receipt of fees for passports and for notarial signatures than in having such fees paid to consulates. Other ministers have recommended the same thing; and something might be got in that way towards paying the expenses of a permanent officer, say in missions. I wrote at that time, "The levying of fees at legations, under the authority of the Legislature, for signatures of passports and notarial acts, similar to those authorised to be levied at consulates, would, in many legations, produce a considerable fund, and might meet much of any increase of expense. I was informed, when in Switzerland, that the fees levied in the French chancery at Berne, met the greater part of the expenses of the French legation in Switzerland. There appears to be no reason why passports or signatures, which cost four or five shillings in the consulates of Genoa or Marseilles, should be given for nothing at Turin or Paris. If it is proper to charge the public at consulates, the Government might gain by similar taxes in legations." These fees are paid (indeed such fees are taken in the Foreign Office for passports) by individuals for work that is done for them, and it would be quite understood that the fees did not go into the pocket of the minister, as they do not generally now go into the pockets of the consul, and it would be a customary, and I think a very unobjectionable way of taxing individuals, whether British subjects or foreigners (because foreigners also came to the consulates for work for which fees are taken) for work done.

2698. Have the ministers now in the South American missions control over the consuls in South America within the country to which they are accredited; take, for instance, your own case in the Brazils; had you any control over the consuls who were stationed at the various ports in the Brazils; Bahia, Pernambuco, and several other places where there are consuls or vice-consuls?—I may state that when I went out as minister to Brazil, at the end of 1859, that subject appeared to have attracted the attention of the Foreign Office; I had nothing whatever to do with originating the matter. What had turned their attention to it at that time I do not know; but I carried out with me instructions to the consuls, the object of which was to put them much more under my superintendence than they had ever practically before been in Brazil. The instructions were referred to by me in a letter which I addressed to the Foreign Office before the Consular Committee of 1859. They were to this effect, that the consuls were henceforward to send all their correspondence under flying seal to me, or to send copies of their correspondence to me at the same time that they wrote to the Foreign Office, and that they were to originate no discussions with the local authorities on any subject of importance without first communicating with me. I am anxious to state that I had nothing whatever to do with the origination of those instructions; I took them out with me, and a great deal of trouble arose in carrying them out, and they took the consuls by surprise. It was thought altogether a new thing; there was then a general notion, with which I was acquainted before, that a consul was entirely independent of the minister. Certainly these instructions went entirely against that opinion. A good deal of correspondence took place afterwards between me and some of these consuls and the Foreign Office, and in the end I had no difficulty except with one consul. As regards that consul certainly he did not, when I came away, send his correspondence through me or at all carry out the instructions which he had received; but I am bound to say, and being here as I am I think it right to say, that the fault was in a great measure with the Foreign Office.

2699. Did you complain of the fact with regard to any circumstance connected with the action of that consul?—I have read Sir Henry Elliot's evidence, and I see that he represents the state of things now in Turkey (any representation coming from him, I need not say I do not doubt for a moment is perfectly correct), and he describes a state of things with regard to the subordination of consuls to the ambassador which appears to me to be perfect, and quite right. Certainly that perfect state of things, as described by Sir Henry Elliot in Turkey, did not exist in Brazil, when I ceased to be minister there in 1863. I, of course, can give no information upon the state of things in Brazil since.

2700. But I am asking you for information with regard to your experience in the Brazil and I want to see how your position as minister bore upon the action of the consular representatives of this country, and I asked you, in question to which you have not replied, whether you made any complaint to the Foreign Office in relation to the conduct of any consul or consuls in South America?—I have stated already that there was difficulty to the last with one consul, and further that I am bound to say, and that I think it my duty to say, that the fault was, in my opinion, in a great measure with the Foreign Office.

2701. I want to know whether it was the fault that you complained; I do not wish to have your opinion whether the fault was with the Foreign Office or not, but did you complain of the conduct of any consul in South America?—What I have said I have said deliberately, and with the full expectation that the Committee might wish me to go further, and I am prepared to go further, with reference to the consul to whom I have alluded, and to the circumstances of the case. I did complain of the conduct of Mr. Morgan, the consul at Bahia, in associating himself with railway enterprises and speculations and injuring his position very much by doing so. I had had a long correspondence with

nsul on the subject, hoping to persuade him to andon this railway enterprise, and at last, ile this correspondence was pending, for it came a long correspondence, I wrote a letter Lord Russell, which was an unofficial letter, the subject.

2702. Will you merely state the result generally?—I made a compliant, which was immediately attended to, and which, at the moment, d the desired effect, or I believed it would ve, and the matter being thus disposed of, as thought, I terminated the correspondence with e consul. I came home afterwards, on leave r a short time. During my absence he forarded the unfinished correspondence, with a tement of his own. I was at that time at me on leave, being near London, very near, it happened, the assistant under secretary, ho was in charge of the consular service. I ard nothing of this statement which had been nt home by the consul, enclosing the unfinished rrespondence, but I found when I returned to io that he had received a reply to his despatch, forming him that his explanations were satisctory. The consequence was, that he had ain entered upon his railway scheme, and was sy about it. I wrote to him again, trying to plain to him that that statement could not be tended to supersede the order that he had preously received to disconnect himself from the ilway scheme, but I was unable to persuade m to take that view. I then wrote home again, mplaining, hoping, and expecting that things ould be put on their former footing, and that would be ordered to disconnect himself from is railway scheme. That was not done. I came me soon afterwards, and I regret extremely e course which was taken in upsetting the cellent order which Lord Russell had, in the st instance, sent out on my unofficial representation to him. The consequence of it has en most serious, most injurious, to the public terests.

2703. My object has been to get from you hether complaint was made to the Foreign ffice, whether that complaint was attended to, d whether it had the desired effect of preventg further difficulties?—The original order of rd Russell was superseded, and after my cond complaint no other order was given, and e consul continued to be connected with this ilway enterprise.

2704. And you believe that it is not to the blic interest that consuls in the South Ameri- n States should be mixed up with operations that kind?—As a general rule I think it is rong; that it is objectionable in calling away a nsul from his duties and mixing him up with ople of the place and giving him pecuniary terests, besides interests of other sorts, for glecting his duties or performing them rongly; and it is objectionable in the same y that it has been held objectionable (and the nsular Committee of 1858 so reported) that nsuls should mix themselves up with trade. has all the same effects as those, indeed some fects more mischievous than those, of a consul's ixing himself up with ordinary commerce.

2705. Has it ever been the practice of the reign Office since you have been in England consult you in reference to South American fairs, taking advantage of your experience ere?—No; I have never been consulted since returned from South America.

2706. There was a case of a very painful character in connection with Paraguay, for instance; I think you were at one time stationed there; were you ever consulted by the Foreign Office in connection with Paraguay?—I was in Paraguay twice; once I went up unofficially to make a sort of reconnaissance, and the next year I went up on a special mission.

2707. And during the recent unfortunate affairs there, were you ever asked by the Foreign Office to give them the benefit of your experience?—No; I have never been consulted on any matter relating to South America, or anything else since I was put upon a pension.

2708. The Committee have before them the reports of Her Majesty's representatives abroad, and I find that amongst them there is a report from the present minister at Buenos Ayres, Mr. Stuart; have you read that report?—Yes, I have read it; I have read the whole volume.

2709. Have you any remarks to make from your experience in respect to the recommendations contained in his report?—I am quite sure that what Mr. Stuart states about the expenses of living in Buenos Ayres is correct. Buenos Ayres was an expensive place when I was there, and has probably become more expensive since; and while recommending economy and believing that economy may be carried out in the way that I have suggested at Buenos Ayres, I should certainly agree with him that the salary of the secretary of legation at Buenos Ayres might be raised and should be raised, and the scheme which I have ventured to sketch out to the Committee would include a higher salary and more work for the secretary of legation.

2710. And in fact it would also include a different arrangement altogether in the mission; you do not recommend that the present staff should be maintained, and that the salary of the secretary should be at the same time increased?—I certainly do not recommend that there should be a mission and a consular establishment both. I think that the minister should be reduced to a chargé d'affaires, as there was during the whole time that Captain Gore represented us there; but if a minister is retained, and he has a secretary of legation, that secretary of legation would be at the head of a staff for consular work as well as diplomatic work, and his salary should be higher than it now is.

2711. I understand that you would cease to have a minister plenipotentiary with a salary of 3,000*l.* a year and additional allowances; that you would make the secretary of legation chargé d'affaires with an increased salary; and that you would have a reduction of the consul's salary and allowances, which are now 1,500*l.* a year?—With regard to reducing the minister to chargé d'affaires, I know the expensiveness of those countries, and I am satisfied that an officer like a chargé d'affaires and consul general is better suited for them than a minister; but I would rather pay a chargé d'affaires more liberally and make his position more comfortable in proportion to the inferior ranks. A chargé d'affaires and consul general would be comfortable with 2,500*l.* a year; a minister is hard put to it with 3,000*l.*

2712. In regard to your appointment to the South American missions, you will probably be able to give to the Committee some information with regard to outfits; there is a discrepancy in the amount of outfit allowed to Mr. Lowther and that allowed to Mr. Forbes, in the one case being

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being 1,100*l.* and in the other 800*l.*; can you give any explanation of that; what was your outfit allowance when you were appointed to Buenos Ayres?—My attention has been pointed to that question, and I can state exactly what I believe you want. Mr. Lowther was appointed minister to Buenos Ayres, being promoted from the rank of secretary, and he would have received the full scale of outfit, which was 1,100*l.* I was removed from Buenos Ayres, a second-class mission, to Rio, a first-class mission; and according to the rule of the Foreign Office I was entitled to receive two-thirds of the full outfit, namely, 1,100*l.* also. Now there must be some mistake as regards Mr. Forbes, and there may have been a mistake at the time. Mr. Forbes, in the same way, was removed or was named from a second-class mission, Dresden, to Rio, a first-class mission, and his outfit in the same way, according to the rule, would have been two-thirds of the full scale, and would have been 1,100*l.* I see it is stated that he only received and paid back 800*l.*, and I conclude that the mistake was at the time in the Foreign Office, and that they gave him only a half the full outfit. He ought to have had 1,100*l.* when he went to Rio from Dresden, as I received it when I went to Rio from Buenos Ayres. I conclude that it is a mistake, and that the chief clerk of the Foreign Office would set it all right if his attention were called to it.

2713. A matter has been before the Committee upon which you can perhaps give us some information, namely, as to the control of ministers abroad over their subordinates; I should like to know from you whether the present system is, in your judgment, sufficient to enable the ministers abroad to have sufficient control over their subordinates?—That is a subject upon which I speak with reluctance and (I wish to be quite frank with the Committee) with the feeling that any opinions which I may give will be exposed to the suspicion of prejudice. I have stated already I was anxious to state it, and I wish it to be publicly known, that I had trouble with secretaries, and that that alone troubled my career. But you will have before you the opinions of Lord Lyons very unequivocally given, as unequivocally as an ambassador or minister could give them, and of Lord Cowley and others; and there is no doubt whatever that a minister (of course a person like myself, with no advantages of rank or high position, could not have the same advantages that a person like Lord Cowley or Lord Stratford de Redcliffe would have) has not the control over his subordinates which a colonial governor has over his clerks; and I am quite certain that it would be very much better for the efficiency of the service that a minister should be assisted by persons whom he can control and govern, as the Secretary of State at home can control the clerks who are in his office.

2714. We have been told by Mr. Hammond, in reply to Question 42, that if a minister does not report his subordinate on having any ground of complaint, it is his own fault; do you think that that is a fair description of the position that a minister abroad holds in reference to the Foreign Office and in reference to his subordinates?—Mr. Hammond said the same thing, or very much the same thing, before the Diplomatic Committee 1861, when his attention was called to Lord Lyons's very strong statement as to the want of subordination of consuls to the minister in the United States, as he found it then. I am sure that the Members of this Committee will see at once that it must always be a very disagreeable thing for a minister to complain; and certainly my own experience leads me to say that it may bring a minister into serious trouble, for instance, with regard to the case to which I have referred, of the consul at Bahia, of whom I complained with the greatest reluctance; he was the son of one servant of the mission and the father of another servant of the mission in the consulate, of whom I had the highest opinion, and with whom I was on the most friendly and confidential terms, but that brought me into trouble, and I had experience of the disagreeable consequences of doing my public duty in complaining of that consul; you have asked me the question and I have answered it fairly; I heard on the best authority, authority that I could not for one moment dispute (and it is very aggravating for a minister abroad to hear these things), that a gentleman in power at the Foreign Office who had a great deal to do with this case, said that I had a spite against this man, and that all my complaints were from prejudice. I mention that as an instance of the way in which it is disagreeable for a minister to complain, and in which sometimes a minister may be injured, and I say boldly in my case has been injured, by doing his public duty.

2715. But my question had reference more particularly to the management of a mission abroad, and I wanted to know from you whether, in relation to the members of that mission, the present system prevents the chief from having sufficient authority and control over them?—Of course a minister appointed under the present system must take the system as he finds it; but I have no hesitation in saying, and I have already said, that it would be very much better in every way if ministers had more control over their diplomatic subordinates. Sir Henry Elliot has lately spoken of the irregularity in the work which he says is partly the fault of the not very strict discipline over the subordinates. I forget whether he said that in his evidence or in the report.

2716. With regard to the first secretary, the secretary of legation, do you consider that the position of the secretary of legation is a satisfactory one in relation to his immediate chief; speaking of your own judgment and from your own experience, without going into very many details, can you state with regard to the exact duties performed by the secretary of legation whether under the present arrangement, in your judgment, his position is unsatisfactory in relation to the head of the mission?—I do not think that it is a satisfactory position.

2717. Do you think that the head of the mission can utilise the secretary of legation to the extent which, in your judgment, would be desirable in order to get full work out of the members of the mission?—It is now the regular practice that the secretary of legation should do nothing except prepare the commercial reports, which have lately been assigned as a special duty to the secretaries of legation. I have a very strong opinion that the assigning of that special duty to the secretaries of legation, in a manner which virtually makes them independent as regards that work of the minister, is not satisfactory, and that it is a mistake. All work of that sort is a proper part of the duty of the

ambassador or minister. Of course the am-
sador or minister cannot do everything him-
, but he would assign a great portion of his
k of that sort under the usual system, that is
ay, under the system which prevails in other
artments, to his secretary of legation. I
k that those reports should come to the
eign Office, and should go forth to the public
he reports of the minister, because the minis-
is the only public servant abroad whom the
eign Office knows; and those commercial
orts, of course, are most important, and
efore I think that they should be prepared
the minister employing the secretary of lega-
, or anyone else in the staff that he wishes to
oloy for the purpose. He would have, of
rse, afterwards to read them, alter them, and
d them home with his own name and under
own responsibility; and in that way they
uld be very much better, and more authentic
the public. And as regards the training for
secretaries derived from that work, their
ining would be accomplished in the same way
the secretaries got together the materials and
pared the reports for the minister to revise
l perfect. The secretary of legation or
bassy is said by the exponents of the Foreign
ice to be in a position analogous to that of the
der Secretary. Well, the Under Secretary of
rse does a good part of the work of the
cretary of State, but his name never appears;
that he does goes before the Secretary of
ate before it goes forth to the public, and it is
ne under his authority; and in the same way
colonial governor sends home reports every
ar, the greater part of which has been pre-
red by the Colonial Secretary, or his sub-
linates, but the governor is the responsible
rson.

2718. You consider that the work of the office
uld all be under the responsibility of the head,
d that he should have sufficient control over
s subordinates to enable him to completely
ilise them?—He should employ them in the
ay which he thinks most beneficial for the
blic service, and he would assign to the secre-
ry of legation, as his chief officer, the work
quiring the most capacity; he would generally
disposed to treat the secretary of legation
ith the respect due to his character and position;
d things would go on, I think, on the whole,
ore satisfactorily if his authority over the secre-
ry was more clearly defined.

2719. And you would expect that, under
ecial pressure of work, the head of the mission
ould have the power and authority to make use
the secretary of legation in such a way as he might think necessary, in order to get through the especial work falling upon the mission?—Certainly.

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2720. Is it your judgment that altogether, if the head of the mission occupied a higher and more controlling position in relation to his subordinates, the work of the office might be done efficiently, and probably with fewer hands?—Yes, certainly; but that would require assistance of a different class.

2721. But still you would say that if the head of an office has not sufficient control to utilise the services of his subordinates in such a way as he may find at any particular period to be the most useful, the want of that power must interfere very much indeed with efficiency of the subordinates in the office?—Certainly.

2722. With reference to the last question, in order to complete that point, I wish to refer to the despatch of Lord Clarendon in reference to the duties of secretaries, in which he laid down the rule that secretaries of legation should be subordinate to the heads of missions: the exact terms of the despatch, which is dated 1857, are these: "While assigning this specific duty" (that is, the preparation of commercial reports) "to Her Majesty's secretaries of embassy and legation, it is not intended in any way to release them from the superintendence and control of the heads of missions. They will remain, as now, wholly subordinate to their chiefs, and they will report exclusively to them. On the other hand, Her Majesty's Government expect that the heads of missions will give effect to the object which they have in view, by obtaining for their secretaries access to all sources of information by encouraging them by their support and advice, and by pointing out to them the matters to which their attention may most usefully be directed." I wish to ask you whether from your experience you think that those instructions and recommendations are carried out in foreign missions?—There is no doubt whatever that that despatch did express clearly the principle of the subordination of the secretary to the minister with regard to those reports; but there is also no doubt that in many missions it was not so understood, and that it came practically to be a work done by the secretary independently, and there were cases even in which secretaries conceived (but of course they ought not to have done so, for those words are sufficiently clear) that they were independent of the minister as regards those reports. I think you will find that many of the earlier reports were addressed by the secretary of legation direct to the Foreign Secretary; at least they appeared so in print.

Thursday, 12th May 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Sir Henry L. Bulwer.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable CHARLES Viscount HALIFAX (attending by permission of the House of Lords); Examined.

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2723. *Chairman.*] YOU have been Secretary of State for India?—Yes, for between six and seven years.

2724. When did you first enter upon that office?—I was President of the Board of Control for two years, 1853 and 1854, and I became Secretary of State for India in the summer of 1859, and remained so till the early part of 1866.

2725. The last transfer of the Persian mission from the Indian Department to the Foreign Office, we have been told, took place in 1859?—Yes. The Committee are probably aware that it had been transferred to the Foreign Office from the Board of Control and the Court of Directors some time in 1834 or 1835, and had remained so till the year 1858. That transfer took place with the entire concurrence of the Court of Directors, a body who, naturally looked mainly to the interests of India. When I became Secretary of State for India, in the summer of 1859, I found that the Persian mission had been transferred in the year before to the India Office. I had a good deal of conversation with Lord Russell, who was then Foreign Secretary, upon the subject, and he and I agreed that there was no sufficient reason for having upset an arrangement which had worked, I believe, to the satisfaction of all parties interested for upwards of 20 years, and as the transfer had been made so recently, we thought it far better to put the mission back on the footing on which it had been ever since the year 1835 or 1836.

2726. As I understand, you had been President of the Board of Control during the period when it was upon that footing?—Yes, for two years; from the autumn of 1852 till the spring of 1855.

2727. And your experience then, as at the head of Indian affairs, was that that arrangement worked satisfactorily?—I never heard any complaint against the satisfactory working of that department under the Foreign Office after the transfer of 1835 or 1836.

2728. Then I understand that upon consultation with the Foreign Secretary you arranged that it should go back, in 1859, to the footing in which it had stood previously to 1858?—Yes.

2729. As being best for the public interest?—Yes.

2730. With regard to Indian interests, as well as with regard to Imperial interests?—I entirely concurred with Lord Russell that it was far better that the direction of the whole of the diplomatic service should be in one hand, rather than in two; and that inasmuch as there is a good deal of connection between Turkey and Persia, and Russia and Persia, the same person who wrote the directions to our ministers at Constantinople and St. Petersburgh should write the directions to our minister at Teheran, on those subjects on which the three countries were interested.

2731. I presume that when you were President of the Board of Control, you were always consulted in reference to all important matters that related to Persian diplomacy?—In all matters in which India might be affected; and, indeed, much more generally than that, because action against Persia must almost certainly take place on the Indian side.

2732. Then I wish to ask you about your experience of the result of the transfer during the seven years subsequently, when you were at the head of the Indian Department; did it work satisfactorily?—Certainly.

2733. You see no ground for transferring it back again to the India Office?—I do not recollect any difficulties of any sort or kind occurring; if I wished a representation made to the Persian government, I wrote to the Foreign Secretary, who made the representation which I desired to the Persian government or to the Persian minister here.

2734. Were you consulted at all with regard to the personnel of the Persian diplomatic corps with a view of suggesting the Indian officers who might be of use there?—I think I was, but I do not remember; I am pretty sure that I gave an opinion

ion about the appointment of one Indian ant who was employed in Persia.

735. At any rate, you would have been ready orm an opinion and express one at the request e Foreign Secretary?—Certainly; any request nat kind of course would be a private com- lication to me, and would not appear officially ny way.

736. You are, no doubt, acquainted with Mr. e, who has been a witness here?—Yes.

737. What department had he charge of in office when you were at the head of it?— was the head of the department in which t is called the political correspondence is ied on.

738. The despatches with respect to Persia uld come under his cognizance?—Certainly, the correspondence in reference to Persia as eference to all political matters in India would under the direction of the Secretary of State, letters or despatches on them would be hin the department of which Mr. Kaye is the d.

739. It would not be for him to decide in any y upon questions of policy?—No; the Secre- y of State would consider the question, or it uld be considered by him and the political mmittee of the Council, and then by the uncil, the directions could then be given, and execution of the order so given would be in department of Mr. Kaye.

2740. Neither would he be consulted about y arrangement with regard to the transfer of e business, in one way or the other?—He ght have been consulted by me. I probably ked it over with him, as I should talk it over th the members of the Council, in order to m my own opinion.

2741. I understand, then, your Lordship to y that you still have a very distinct opinion at the arrangement which you made in 1859, the right arrangement, and one which ought continue?—I think that the arrangement ade in 1835, and which was disturbed for a ar only, in 1858, is the best arrangement at can be made, for the reason that I ve mentioned. I think it is far better to have e entire direction of the diplomatic service in e hand. We have had a good deal of double overnment in matters relating to India, and I ink it is far better that the direction should be one hand; and I do not see the least reason suppose that the Indian interests are not suffi- ently represented or taken care of by the Per- an minister appointed by the Foreign Secretary, ho, of course, in all matters connected with ndia, acts very much with the advice and the oncurrence of the Secretary of State for India.

2742. I presume that before that transfer was ade, Lord Palmerston's opinion, too, was ex- ressed, and he approved of it?—Entirely; I do not remember whether any official correspon- ence took place, but certainly Lord Palmerston, ord Russell, and myself, talked it over, and greed that the arrangement which had subsisted or so many years, until 1858, was the best.

2743. Mr. *Butler-Johnstone.*] Granting that he interests of the whole service are as much aken care of by the Foreign Office as by the ndia Office, the knowledge of Persia would reater in the India Office, no doubt, than in he Foreign Office?—Of course it would.

2744. Persia is more connected with the India ystem than with the European system generally, is it not?—The knowledge of all matters which were of interest to Persia and at the same time to India would, of course, be greater in the India Office, and the Secretary of State for India would have more ready means of obtaining information regarding them. Having exercised his judgment upon the question, of what it was desirable to do, he would request the Foreign Secretary to give such directions to our minister at Teheran as would promote the interests of India in connection with Persia.

2745. No doubt, but in dealing with our representatives abroad generally the Foreign Office must act by general rules; they must lay down definite rules for the guidance and the conduct of our representatives generally; if the same rule applies to our minister at Teheran that applies to our ministers in European courts, it may act differently when applied to the one and to the other, may it not?—I certainly never understood that the Foreign Office would direct a man at an Eastern court to behave exactly as he would at an European court, if the Foreign Secretary thought it advantageous that he should not do so.

2746. Some such general rule as this, for instance, might be applied by the Foreign Office, that our ministers abroad should not receive presents from, or give presents to, ministers abroad?—I believe that the same rule applies to Indian officers, and that no Indian officer can receive presents.

2747. No minister in Persia can, by the rule of the Foreign Office, receive or give presents, can he?—I do not know how that may be as to the Foreign Office.

2748. It is, as a matter of fact, the rule of the Foreign Office, but it was not the rule of the India Office, was it, when Persia was under that office?—I do not know that it was.

2749. It might be advisable, in the opinion of people acquainted with Indian matters, to adopt that practice in dealing with such a semi-civilised court as Persia, and that would depend upon the nature of the Persian government?—If the Secretary of State for India was of opinion that it was desirable that it should be done in any particular case, he would make a representation to the Foreign Secretary. Whether he would comply with it I cannot say; the question never arose in my time.

2750. The case never arose when you had to consider whether it would be a good thing to give presents?—I never recollect a case, in which a recommendation was made to me by a private individual even, that presents should be made.

2751. You were at the India Office when Persia was transferred to the Foreign Office?—I was at the India Office in the year 1859, when we re-transferred to the Foreign Office from the India Office the mission in Persia, which had been for 20 years and upwards under the Foreign Office, and had remained so with the exception of only a short time.

2752. Sir Henry Rawlinson was our minister at Teheran at the time?—Yes.

2753. And he resigned immediately after the transfer?—Yes.

2754. And he stated his reasons for resigning?—Not to me.

2755. He made no representations to you upon his resignation, but to the Foreign Office?—Not to me.

2756. In dealing with Persia, and sending

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ministers out there, would not a more competent set of men be found among those of Indian experience than among those in the staff of the Foreign Office of European experience?—That very much depends upon circumstances.

2757. In your Lordship's opinion is not a knowledge of Indian experience rather an indispensable condition in dealing with a country like Persia in the employment of people out there, or do you think that is not so?—I do not think it indispensable. In dealing with the Turks, for instance, we are dealing with an Oriental nation. I do not know that there is much difference from the character of the governments of the two. The amount of political service in India now is very much less than it was; I mean political service as separated from our administration of provinces under our control.

2758. You do not think that public interests would be advanced by the employment exclusively of people of Indian experience in Persia?—No; I think it very desirable that there should be in Persia a person, supposing such a person could be found, with a certain knowledge of Indian matters; but I do not think it at all indispensable.

2759. Sir *Charles Wentworth Dilke.*] I believe that India has considerable relations of a diplomatic kind with Affghanistan?—The diplomatic relations have very much ceased of late years. Since the Affghan Expedition our policy has been not to have a minister or representative of either England or India resident in Affghanistan. The only person in Affghanistan who is at all employed, is a man called a news writer, a person of a very inferior description, who has no communication with the Ameer.

2760. During the negotiations in Lord Lawrence's time, native envoys were employed, or persons who were practically envoys, were they not?—As far as I remember, their position hardly amounted to the dignity of an envoy; but at any rate, whatever it was, and I do not remember at this moment who the people were, it was only for a time. There has been no permanent diplomatic communication or resident in Affghanistan since the Affghan War. It was Dost Mahomed's particular wish that there should not be, thinking that the residence of an English envoy at Cabul might lead to quarrels between the two countries, and Sir John Lawrence was entirely of the same opinion.

2761. I was not speaking of strict relations, but I should like to ask your Lordship whether you do not think that there are likely to be considerable relations practically of a diplomatic kind between India and Affghanistan in future?—Certainly.

2762. And therefore the necessity for putting India under the Foreign Office, which would be founded on the Foreign Office having relations with Russia and with Turkey as neighbours of Persia, would also apply, would it not, to India having relations with Affghanistan, also a neighbour of Persia?—No, I do not think that the same reasons apply to Affghanistan as apply to Persia.

2763. Might I ask on what grounds?—Persia has a settled government, at least a so-called settled government, and is a comparatively large country, with which we have had permanent diplomatic relations for many years. Affghanistan is a country very much divided against itself; one hardly knows from year to year what the state of Affghanistan will be; and my opinion, which was Sir John Lawrence's too, is that it is far better to abstain from any permanent diplomatic relations with Affghanistan, and to rest upon being able to do whatever we may think may be necessary at the time and under the existing circumstances; and in point of fact during the whole time that I was at the India Office, that was the footing on which we stood with regard to Affghanistan.

2764. Mr. *Rylands.*] I think I understood your Lordship to say, in reference to the point under the notice of the Committee, that you objected to double government, and thought it was far better that the diplomatic service should be in one hand?—I think so.

2765. Are you prepared to say that, at the present moment and under the present arrangement, the diplomatic service in connection with Persia is in one hand?—The directions to the minister of this country in Persia all proceed from the Foreign Office, as they do to the ministers at Constantinople and St. Petersburgh, the courts which are most connected with the Persian court.

2766. But with this difference, I think, that supposing that any question of Persian diplomacy having reference to Indian interests to arise, that question, in the first instance, would be considered by the Indian Department in conjunction with the Foreign Department, before the minister in Persia received his instructions?—It seems to me to be precisely the same case as if a question arose between Canada and the United States. In all probability the Colonial Secretary would communicate with the Foreign Secretary before any instructions were given to our minister at Washington to act in any matter concerning the interests of Canada.

2767. But we have been told that a very large proportion of questions connected with Persia have reference to Indian interests, rather than to European interests; I daresay your Lordship will not dispute that?—There are a great number of questions between Persia and Turkey, in which India has no interest at all. With regard to the other great power to which I have alluded, namely, Russia, no doubt the action of Russia upon Persia may materially affect India; but it is hardly an Indian interest, as apart from the interest of this country, because if Russia was to assail India in any way, of course it would entail a war with this country, as well as with India.

2768. But in relation to questions upon which the opinion of the India Office might fairly be taken as most important, we have been told that a very considerable proportion of the questions having reference to Persia are of that character; that the India Office is appealed to in reference to their settlement?—I do not think that there are any of those of very great importance; certainly none in which the directions from the Foreign Secretary would not be quite as effective as directions given by the Secretary of State for India.

2769. But might it not be the case that the Foreign Secretary might not have the same amount of information in connection with Persian questions as the Secretary of State for India had, and that in consequence there might be a difference of judgment in regard to the directions given to the minister in Persia?—I can hardly conceive that; because the Foreign Minister

inister would be hardly likely to give any rections to the minister in Persia on any ques- ns connected with India, unless he had agreed th the Secretary of State for India as to what e directions should be.

2770. Then you would not be disposed to an- ipate that the Foreign Office would refuse to fer to the opinion of the India Office in cer- n questions affecting the Persian mission upon ich the India Office and the Foreign Office fered?—In that case the question must be re- red to the Prime Minister or to the Govern- nt, and the decision of the Government must decisive for both.

2771. We have been told that within a recent riod questions have arisen in which there has en a difference between the Foreign Office and e India Office, and that in consequence of the al government, as it was described, which at esent exists, there has been considerable delay d difficulty in the settlement of those ques- ns; what is your Lordship's view on that tter?—All I can say is, that I never remem- r such a case occurring during the time that I s Secretary of State for India.

2772. I noticed that in reference to your ex- rience at the Board of Control, your Lordship ted that if you wished to make any represen- ion with regard to the Persian mission to the reign Secretary, you would do so, and no ubt the Foreign Secretary would act in accor- nce with that representation; that accords th your last answer, that there was no diffi- lty between those two departments of State? I never remember any; I do not believe that the two Secretaries of State are men of sense, d will take the trouble of talking to each ner, there will be any difference between em.

2773. With reference to the diplomatic service ing in one hand, are you prepared to say that nere there is a special character in the kind of lomacy required, such as there is in the case Eastern nations, it is desirable that that should in the same hand with a diplomatic service of entirely distinct character as it exists in uropean and constitutional countries?—I think far better that the whole diplomatic service ould be in the hands of the Foreign Secretary. think the Secretary of State for India has ite enough to do in managing the affairs of dia and its relations with immediately coter- nous countries, Affghanistan and other coun- es similarly situated.

2774. Of course there is a very large amount diplomatic action within India itself by the dian Government?—Yes.

2775. And we have been told that the aracter of the courts in India resembles very uch the character of the court in Persia, and at therefore the diplomatic action in Persia ght to take the same form as the diplomatic tion in the courts of India connected with the dia Government; is that your Lordship's inion?—I do not think that the relations be- veen any of the native courts in India with the dian Government very much resemble the lations of the court of Persia with the Indian overnment.

2776. But the question is as to the mode of eating these courts, an Eastern court requiring different kind of diplomacy from an European ourt; and we have been told that the course of iplomatic action in Persia is of the same nature in most important particulars as the kind of action which the Indian Government has to take in reference to native Indian courts?—It seems to me, if that be so, that it would lead to the appointment of another Foreign Secretary who would direct the diplomacy with all Eastern courts, Turkey, Egypt, Persia, China, Siam, and other Eastern nations.

2777. I am asking your Lordship particularly in reference to Persia, because on that matter the Committee have had some very important evidence from Sir Henry Rawlinson, and I think you will agree that Sir Henry Rawlinson's position and character and experience justify the Committee in paying attention to his recommendation; he states very distinctly that the principles of diplomatic action as applied to the court of Persia are very different indeed from the course of diplomatic action with European courts; and if you will allow me, I will read a portion of his despatch, and ask your Lordship's opinion about it. It is a despatch, stating the circumstance under which he retired from the position of minister in Tehran; he says, "In the first place I find myself taken out of the line to which I belong, and attached to a department on which I have no claim, and with the regulations and traditions of which I am comparatively unacquainted; and, secondly, I am required to observe certain principles of action as established for the general guidance of Her Majesty's diplomatic service, which I conscientiously believe to be inapplicable to Persia, and to be incompatible with the acquisition or retention of influence at this court;" and on those two grounds, that he found himself "taken out of the line" to which he belonged, and that he could "no longer indulge a hope of being able to serve" in the country either with credit to myself "or with advantage to the Government," he took the first opportunity of resigning; that is a very strong opinion; is your Lordship still inclined to say that there is not that great difference in the diplomatic action in Persia, as compared with European countries, that would lead to any difficulty on the part of a representative of this country there who was under the Foreign Office?—I am not at all prepared to say that the action of a minister at a perfectly despotic court is the same as it is in a constitutional monarchy; but I am prepared to say that a person may, without previous knowledge acquired in India, be the most proper person to deal even with a despotic court; knowledge is not all that is required in dealing with such courts.

2778. And you still think that the fact of the judgment of the Foreign Department, with their traditions, having arisen out of their experience of European courts, does not render it undesirable that they should control under similar regulations the representative at an Eastern court like Persia?—It is not true, I conceive, that the only experience of the Foreign Office is in dealing with constitutional or European courts. As far as the tradition and experience of the Foreign Office, handed down from one Secretary of State to another, goes, they have had to deal with a great number of Eastern nations, as well as European, and it seems to me that the knowledge that has accumulated in the Foreign Office would apply both to the one and to the other.

2779. But the experience of the Foreign Office has mainly reference to the action of European

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European diplomacy, which occupies a different position from that of Eastern diplomacy?—No doubt; but there are traditions for dealing with barbarous, or semi-barbarous, nations as well.

2780. Sir Henry Rawlinson states that the regulations of the Foreign Office are not applicable to our mission there; that, I think, you do not agree with?—I do not agree with Sir Henry Rawlinson in that respect.

2781. Sir *Henry Bulwer.*] What I understand you to say is this, that the concentrating of the power of the Foreign Department in the hands of one person does not prevent that person from employing a different system, and appointing a different sort of person at those places where it may be necessary to do so?—I do not conceive that it at all follows, because the direction of affairs is in one hand, that the same descriptions of person should be appointed to all places, or that the same system should be applied in all cases, however different the circumstances may be.

2782. And then I understood you also to say, that if the minister for India had under his orders and direction a minister in Persia, there might be different European questions in which a European ambassador might have to act, and in which he would feel embarrassed if he had to refer to another minister than the one under whose department he was: for instance, many questions, as you have observed, arise between Persia and Turkey; we are interested in those questions, inasmuch as we wish to preserve peace between Persia and Turkey: supposing that I am ambassador at Turkey, and that I am questioned whether I will interfere in a particular manner to make up a quarrel, if I know that I am under the same authority as the minister in Persia, I feel that I can act without any other reference than to my own minister, whose policy I generally know; but supposing I was to feel that I was not able to act without reference to the policy in India of the Indian Government, I then should feel more embarrassed in taking a decided part; I think that is what I understood you to mean?—I think it is more likely that there would be entire accordance between the directions given to the ministers in the different countries if they proceeded from the same source. In point of fact, that was the reason why the Persian mission was transferred to the Foreign Office, and that is the reason why, in my opinion, it ought to remain under its guidance.

2783. Diplomatic agents acting under the Foreign Office might have to interfere in questions relating to India, and they can do so much more easily and more readily if the Persia mission is under the same direction as themselves, than they could if it were under a separate direction?—Our minister at Persia must on many occasions communicate with the Russian minister, the French minister, and the Turkish minister. The conduct of those ministers would be guided by the directions from their own courts, which may more or less be influenced by the action of our ministers at those courts, and then there will be a greater accordance, I think, between the conduct of our ministers in all four courts (Russia, Turkey, Persia, and France) if the directions to our ministers there proceed from the same source.

2784. That does not imply at all necessarily that you are to pursue the same system in Persia, or that you are to have the same sort of agent there as in other courts?—Certainly not. My opinion is simply this; that the guidance of a great department is far better in one hand than in two.

2785. You do not mean to say by that, that the same system is in every case to be pursued because it is all under one minister?—No, of course not.

2786. Viscount *Barrington.*] Your Lordship agreed that there is a difference in their diplomatic action between European courts and Eastern courts; in the East we have been given to understand the system of presents is frequently carried out between the minister and the court to which he is sent: are we to understand that you disapprove of that system of giving presents in regard to Persia?—It is a question which I have never had to consider.

2787. But Sir Henry Rawlinson retired upon that question?—In India presents are given and returned. It is a matter of bargain. If the Governor General meets a native prince, it is a matter of bargain beforehand what presents each should give; they are always supposed to be of about equal value. The public pays for the presents given to the native prince, and the present made to the Governor General is put into the public Treasury and sold for the benefit of the public.

2788. But was not there some reduction made in that respect at the time that Sir Henry Rawlinson gave up his appointment?—Not that I know of.

2789. If such reduction were made, would it not be likely to place this country in a less advantageous position than other countries continuing that practice in Persia?—For 24 years preceding Sir Henry Rawlinson's appointment, the mission in Persia was conducted under the management of the Foreign Office. Therefore any advantage which could occur under the system which he seems to have recommended must have taken place during the very short time that he was there. Whether he wished to make any presents and was debarred from doing so, I do not know.

2790. You do not know whether, supposing any such reduction to have been made by the Foreign Office, that would place us in regard to Persia in a less advantageous position than other courts?—The Committee will see that for 24 years before Sir Henry Rawlinson went to Persia the mission was under the Foreign Office; and their regulations consequently would, I presume, have applied during those 24 years. If they were debarred from making presents before that time, they would be debarred afterwards. I never heard that a change was made when Sir Henry Rawlinson was appointed.

2791. Mr. *Otway.*] I wish to ask your Lordship one question with reference to the question which has just been asked you by Lord Barrington, and the answer which you gave with regard to the presents; your Lordship stated that it was a matter of bargain between ourselves and the princes in India; but you do not mean by that to state that although the giving of presents is a matter of no importance to the Anglo-Indian functionary, inasmuch as he has to return them and they go to the public Treasury, it is not a matter of considerable importance to the Eastern who receives them and does not return them to any public treasury,

reasury, but retains them?—During my period of office I have never had to consider the question of a present being made to the sovereign of an entirely foreign country, as, for instance, the Shah of Persia; on that question I have given no opinion at all. I was asked what my experience was of the system of giving presents; that experience is entirely confined to presents given within Indian bounds, and there, as I said, it is a matter of bargain between the two sides what the present shall be. The public treasury pays for one and receives the other.

2792. I wish to ask your Lordship's opinion on this matter, whether this giving of presents is not a matter of very great importance to an Eastern court; the value of them to the potentate, or to the minister who is to retain them, may be of very considerable importance, and therefore the withdrawing of a custom of that kind would affect the influence of a representative, would it not?—I am not at all aware that the custom is withdrawn. In point of fact, the answer which I gave just now pointed to the impossibility of an established custom having been withdrawn, inasmuch as the Persian mission had been under the Foreign Office for 24 years before Sir Henry Rawlinson was appointed. If it is the rule of the Foreign Office that under no circumstances shall presents be given, I apprehend that the rule applied during that period of 24 years. I should be disposed to believe that if the Foreign Secretary conceived that it would be for the interests of this country that presents should be made, he would give directions for its being done; but what the fact is I cannot say.

2793. Mr. *Butler-Johnstone.*] As a matter of fact, when you were at the head of the India Office, were you frequently consulted by the Foreign Secretary as to filling up vacancies in the *personnel* of our diplomatic agents generally in Persia?—Not frequently, because I do not remember more than one vacancy at most; but there was one appointment, the employment of one officer, on which I certainly was consulted.

2794. And for how many years were you at the head of the India Office after the transfer of Persia to the Foreign Office?—Between six and seven years.

2795. However desirable it may be to put the whole of our diplomatic action in the hands of one man, the Foreign Secretary, do not you think it is desirable that Indian experience should be brought to bear upon the Foreign Office in dealing with these matters in Eastern courts?—That is effectively done by the knowledge which the Secretary of State for India has at his command, and, acting upon which, he recommends to the Secretary of State for Foreign Affairs, or requests the Secretary of State for Foreign Affairs, to act in such a way as he thinks desirable.

2796. If he is only consulted once in five years by the Foreign Secretary, that Indian experience is not of much use to him?—I understood you to ask me whether I had been consulted about the *personnel* of the diplomatic service in Persia, and my answer was that I did not think there were frequent occasions for my being consulted on the *personnel.*

2797. Were you frequently consulted in other matters of Persian policy besides the *personnel*?—Whenever any question arose in which Indian interests could be supposed to be involved, I was, as a matter of course, consulted; and more than that, upon almost every question connected with Persia or affecting the neighbourhood of India, the probability was that the Foreign Secretary would have consulted me, and that we should have talked the matter over together before any orders were executed.

2798. Mr. *Eastwick.*] You have said that it is desirable that all our foreign relations should be under the superintendence of one department; now is that a matter of theory only; and in case, in practice, injurious effects were found to result, would you still maintain that theory against the practical results?—I should not be prepared to maintain a theory which was proved in practice to be deficient; but it must be very clearly established that the injurious effects arose from the concentration in one hand of the direction of the diplomatic service.

2799. Is it not the fact that the Persian War took place while Persia was under the Foreign Office?—Yes, certainly; when the Persian War broke out Mr. Murray was minister in Persia.

2800. And Mr. Murray was an European officer; he went to Persia without a knowledge of the Persian language, and without a knowledge, except what he had acquired in Egypt, of Oriental people?—He was one of those persons employed under the Foreign Office who happened to have had special experience in dealing with Orientals, calling the Egyptians Orientals, which practically they are.

2801. With regard to the Oriental character of Turkey and of Egypt, as compared with the Oriental character of Persia, I would ask your Lordship, in the first place, is it not the fact that in Turkey and in Egypt, particularly in Turkey, there is an immense population of Christians, or of non-Mahommedans at all events, whereas in Persia there are no non-Mahommedans comparatively, with the exception of a few Armenians, and a very few Parsees, or fire worshippers?—I do not see that the existence of a large Christian population in Turkey affects the official members of the Government, who, I believe, are exclusively Turkish.

2802. But it might affect the Government in other ways: for instance, it might induce European Powers to interfere much more largely in the government of Turkey: for instance, Russia interferes, and France also, very much, on account of the Christian population, and there is no such ground of interference in Persia?—No; but the mere fact that there is a Christian population in Turkey would not render a Christian minister more able to deal with Turkish officials than if there were none.

2803. I will come to that point directly; but, at all events, there would be much greater ground, I presume, for interference, and for bringing Turkey into the circle of European diplomacy: in point of fact, the Crimean War and other wars were very much owing to interference with reference to the Christian population?—With reference to the Turkish government, that has been within the pale of diplomatic action for the last 300 or 400 years, quite independently of the amount of Christian population in Turkey.

2804. But Persia has not been within that pale for anything like that time?—No.

2805. With regard to the officials in Turkey, is it not the fact that most of them speak the French language; that, in point of fact, you can converse with the Grand Vizier in French, and that the French language is very much used in

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Turkish diplomacy; that the character of the Government is very much less Oriental than that of the Persian Government, and that the heads of the Government have actually visited European capitals?—Yes, no doubt.

2806. The Viceroy of Egypt, for example, has continually visited Europe, and adopts very much European manners in many respects?—Certainly.

2807. That is not at all the case in Persia; the Shah has never left his own dominions; the population is entirely Mahommedan, with the strongest possible Mahommedan prejudices, and you must conduct the business there in the Persian language?—Yes, I believe so, though I am not personally informed on that subject.

2808. Then your Lordship said that there is considerable business in Turkey connected with Persia: now I would like to ask your Lordship what questions there are between Persia and Turkey?—There was a question which lasted for some time about the boundary. I think there were also some questions about the country on the lower part of the Euphrates, and I think a question as to some matter in the neighbourhood of Erzeroom.

2809. The question with regard to the boundary is now settled, is it not?—I believe so.

2810. I think Sir Henry Elliot, our present ambassador at Constantinople, has said that it was only a small portion of the correspondence from there which had reference to Persia?—Of course it would be a very small portion as compared with the other interests in which this country deals with Turkey.

2811. In point of fact the Persian correspondence with reference to India is very extensive, is it not, much more considerable than that with reference to Turkey or Russia; that is to say, that Indian questions, questions connected with India, occupy a much greater portion of the correspondence of the Persian mission than Turkish or Russian questions?—My answer to that question must a good deal depend upon how far questions between Russia and Persia are considered merely as Indian questions. I do not consider them so at all; and I should think that the correspondence upon questions connected with India, excluding Russian and Turkish matters, would not be very great as compared with those in which Russia and Turkey were concerned.

2812. But supposing that it could be shown that, we will say nine-tenths of the whole correspondence, had reference to India, and that only one-tenth had reference to Russia and Turkey, would not your Lordship then be inclined to think that the management of our Persian relations had better be under the Indian Office?—No, I do not think that the question of who are the best people to manage our diplomatic relations at Teheran entirely or mainly depends upon what the questions are.

2813. I believe I am right in saying that the ministers in Persia, and the greater part of the staff, have been Indian officers, with the exception of Sir Charles Murray and Mr. Allison?—I think they have. If I remember right, one of the most serious differences with the Persian court arose under Sir Henry Wilcock, an Indian officer.

2814. It did not come to an actual rupture?—No. Nor should I be prepared to admit that the rupture in the time of Sir Charles Murray was owing to his not being an Indian Officer.

2815. Is there anybody on the staff at the Foreign Office with any acquaintance with Persia, who can speak the language, or who knows the feelings and customs and habits of the people?—That is a question that I am not competent to answer.

2816. At all events your Lordship can answer this, whether at the India Office there are such persons?—Yes, some.

2817. The Council of India, of course, contains some such persons; Sir Henry Rawlinson, and Sir Bartle Frere, and others?—There are a number of Indian officers who are conversant with the questions which may arise between India and Persia; they have a knowledge of them.

2818. At the Foreign Office then they would be ignorant of the state of feeling in Persia and of the state of feeling in the Persian Government, except they got it at second hand; whereas the India Office would probably know it at first hand?—Take Sir Bartle Frere; I do not know that Sir Bartle Frere has any knowledge of the court of Persia or the state of feeling in Persia. He was governor of Bombay, and knows what business arises between the Bombay merchants, for instance, and the merchants of the Gulf of Persia; but he has no knowledge of the Persian court, and I do not even know that he speaks Persian.

2819. We will take Sir Henry Rawlinson and Sir George Clerk?—Sir Henry Rawlinson was at Teheran, and therefore he knows the language. Sir George too, probably, speaks Persian, because he is an old Indian servant.

2820. He has been employed on the frontier, has he not?—He has never been employed beyond the boundaries of India, I think. Take Sir George Clerk and Sir Bartle Frere; on any question which arose about Persia and India, of course the Secretary of State for India would consult Sir George Clerk and Sir Bartle Frere and probably other persons, and he would get thus a competent knowledge of what the Indian interests and views were with regard to the question, and he would make up his mind upon the information so derived, and thereupon communicate to the Foreign Secretary, and the despatch written by the Foreign Secretary would probably be in accordance with the views derived from that communication.

2821. But with reference to the double government, is it not the fact that the resident at Bushire is an Indian officer; that the resident at Bagdad is the Indian officer; that the resident at Bushire is under the orders of the Indian Government; that he takes considerable action in connection with the Indian Government: that lately he has taken action with reference to the Island of Bhrein, and that there are a number of other officers employed in Persia who are entirely under the Indian Government?—I am not at all prepared to deny that there are a great number of anomalous cases in the Persian Gulf, the Red Sea, and the eastern coast of Africa. All that was very much under the Indian Government, and it has only been changed to a certain extent.

2822. But if there were a variety of semi-commercial questions which were not merely diplomatic questions, as in point of fact there are, and if there are a number of Indian officers, namely, all those employed upon the telegraph, the

e resident at Bushire and other civil officers, e native news writers and any officers who ight be sent, and who were sent formerly to scipline the troops, under the Indian Govern- ent, while only the minister at Teheran, and rhaps the consul at Tabreez, would be under e Foreign Office, it is quite clear that there ould be a double government after all, would ere not?—One hardly applies the term "dou- le government" to the action of a resident at a nall place. It may be a double action to a rtain extent.

2823. Would you not give considerable weight the fact that the Viceroy of India has stated at it is almost impossible for him to carry on ffairs in India, unless Persia is placed under the ndia Office?—I am not aware of that; it as not so stated during the time that I held ffice.

2824. But supposing that to be the case, your ordship would give weight to it, I presume?— t would weigh with me very much. I am not t all prepared to say that I would give way to t without knowing more of the grounds on which he opinion is formed.

2825. Your Lordship would attach weight to he opinion of the Council of India, I presume? —Certainly.

2826. And, in point of fact, supposing that Persia was transferred to the India Office, there would be no very great disadvantage, because he Secretary of State for India would consult he Secretary of State for Foreign Affairs in natters which required such a reference?—I do ot know that there would be any great disad- vantage.

2827. As there is a reference now from the Foreign Office to the India Office, so there would nly be a greater balance of reference from the India Office to the Foreign Office, in case of a ransfer?—I do not say that any great evil would appen from it. I think that the other is by ar the best arrangement, and I can say no more han that. As I said before, if the two Secre- aries of State are men of sense, and communicate reely with each other, I do not think that any reat evil could happen between them. One might ay the same of the Chancellor of the Exchequer, nd any other Cabinet Minister.

2828. Would your Lordship attach weight to the fact that, owing to Persia being under the Foreign Office, and consequently our dealings with Persia not being so well known as if it was under the India Office, there are continual false statements and exaggerated rumours in the Indian press, with regard to the employment of the Persian troops, and the action of the Persian Government?—No, I do not attach any weight to that. I am strongly of opinion that the Govern- ment in India should have as little to do beyond its own frontiers as it can possibly have. It has quite enough to do within them, and the less it meddles beyond, the better.

2829. Then your Lordship would not consider the feelings of the people of India at all in the matter, that is to say, supposing that the feeling of the population of India, and the intelligent feeling, the feeling of the press of India, was in favour of the transfer, your Lordship would attach no weight to that?—I said that I did not attach weight to the rumours to which your ques- tion referred.

2830. You think that they would not be liable to excite and disquiet the population, and per- haps even lead to ruptures?—I do not believe that they would be less disquieted if our minister in Persia was under the direction of the Secre- tary of State for India.

2831. But if it could be shown that rumours of that kind were less disseminated when our Persian mission was under the India Office than when it has been under the Foreign Office, you would attach some weight to that circumstance then?—If it could be proved that the rumours were more circulated and more believed because, and only because, it was under the Secretary of State for Foreign Affairs, there might be some ground for giving weight to that circumstance; but that is putting a hypothetical case, which I do not believe to be the fact.

2832. Then, I would ask, is it right that those who pay for a mission should have the direction of it or not?—I think that India pays far too highly towards the Persian mission now.

2833. In point of fact it does pay much the largest portion of the expenses?—Yes; that was not intended when the transfer was made, but I hear that it turns out that it is so.

2834. But that being the case, would you not say generally that those who pay for a depart- ment should have the principal part in the admi- nistration of it?—I always thought it perfectly fair that the payment should be, as I always hoped and expected it would be, about half-and- half, and it is only quite recently that I have learnt that the payment by this country is a very small proportion of the cost of the Persian mis- sion.

2835. Of course you would apply that not only to the mission, but all the other expenses con- nected with Persia, the telegraph and the officers for the telegraph, the resident at Bushire, and the rest?—I am not so sure about the residents at the small places, because they are the remains of a former state of things; and with regard to the steamers running up and down the Persian Gulf and Euphrates, I think it is very de- sirable that there should be an officer at Busso- rah to look after that; but that is a different thing from diplomatic action. The telegraph is a matter which has been established by the Indian Government; I do not put the telegraph and the packet communication on the same foot- ing as diplomatic action on matters of political interest.

2836. You think that the expense of the diplo- matic part ought to be halved between the two departments?—Yes.

2837. Mr. *Baring.*] Did I rightly understand you that you consider that the Government of India is so distinct from our policy with regard to the neighbours of India, that it has enough to do in its own government and ought not to take any interest in what the policy of this country is with Persia or its neighbours?—No, I did not say anything of that kind; what I said was that I thought that the Government of India had enough to do in managing its own affairs, and those of the immediately coterminous states, and that the communication with the states be- yond it ought to be directed by the Foreign Office, and not by the India Office.

2838. But we have communication with the Government of India, I suppose?—Of course; but that is the practice now.

2839. You do not suppose that it is quite in- different to the Government of India what the directions of the Foreign Office are to its repre-

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sentatives in courts in the neighbourhood of India?—I have stated exactly the reverse, namely, that all those questions were considered by the India Office, and their opinions communicated to the Foreign Office, and the orders sent to the agents of the Foreign Office were practically agreed upon by the two Secretaries of State.

2840. I thought that your answer was that the less the Government of India had to do with any communication beyond its own territories the better?—As the Government of India, I mean to say that the less the Governor General has to do with questions beyond India the better. Take the case of China; there has never been any question of an Indian officer being sent to China, and yet the interests between India and China are many times as great as those between India and Persia.

2841. There is a great idea that the action of the Foreign Office produced the war in Affghanistan without the concurrence of the Indian Government; is that well founded?—The fact is that the order going out from this country to undertake the war, crossed on the road the letter from Lord Auckland announcing that he had determined on it..

2842. Mr. *Eastwick.*] With regard to the case of China, the interests between India and China are only pecuniary?—Commercial.

2843. But the interests between India and Persia are political, are they not?—Yes, as well as commercial to some extent.

2844. Is it not the fact also that the language and the customs and the habits of the Chinese are altogether different from the language, customs, and habits of the Indian people?—Clearly.

2845. Whereas those of the Persians are very similar, at all events?—Certainly.

2846. Is it not the fact, that the Indian Government has external relations with all the countries on its frontier, and that it does send envoys to them; that, for instance, an envoy has now gone just lately to Yarkund, in Turkestan, and that we have also sent officers into Thibet and into Burmah; that lately we had an officer at Khelat, and that we have had envoys at Affghanistan; so that in the whole circle of countries bordering on India, there has been a diplomatic action on the part of the Indian Government?—I am not quite sure whether the person sent to Yarkund is sent in the character of an envoy or not. No doubt there must be constant communications with the countries immediately contiguous to India. But I think that the practice of having a resident envoy has been very much discontinued. There may be one at Burmah, but if so I think that that is the only country in which there ever has been, for many years past, a resident envoy.

2847. Does your Lordship think it desirable, in a political point of view, that Persia should be drawn into European diplomacy, rather than placed the other way within the pale of Indian diplomacy; I mean with reference to the interference of the great European Powers, is it for our interest that that interference should be encouraged or discouraged?—If you could surround Persia with a wall of brass, and exclude the action of all European Powers upon it, no doubt that would be much better for us and for India; but in practice you cannot do that, and you cannot exclude the action of European Powers upon it. I think it is best that our minister in Teheran should be equal to cope with the ministers of the other European powers who are resident there; and I think that, upon the whole, that object is more likely to be attained by having a minister under the Foreign Office there than by having an Indian servant sent from India.

2848. Mr. *Otway.*] Your Lordship has expressed an opinion as to the desirableness of restricting the action of the Government in India within its own limits; but is it possible to do so, or rather is it not impossible to do so?—It has been done to a considerable extent. Take Affghanistan; no resident envoy has been there for many years. If any communication has to be made, a person is specially sent on one side or the other, and we have not had any diplomatic resident in Affghanistan for many years past. I do not at this moment remember, but I do not think that there is a resident envoy of the Indian Government in any of the external countries. There may be one at Burmah, but I am not quite sure.

2849. But I take the existing questions; take, for instance, these frontier questions; take the question of Khelat; now supposing that the Viceroy of India has made a treaty with the Khan of Khelat, binding him to certain action on certain conditions, and supposing that those conditions are likely to arise in consequence of the action of Persia, how would it be possible in such a contingency to restrict the action of the Indian Government, and would not any action of necessity which took place then be exclusively action on the part of the Indian Government if it is to be forcible action?—Take that particular case; supposing the Persian Government were disposed to act towards the Khan of Khelat in a manner which would render interference on the part of the Indian Government necessary from the treaty which has been made with the Khan of Khelat, it would be the business of the Secretary of State for India to represent to the Secretary of State for Foreign Affairs that such was the state of affairs, and that he must desire our minister at Teheran to represent, in the strongest possible way, to the Shah of Persia what the consequences of any such action on his part would be.

2850. But supposing that the conditions of the treaty, which no doubt are well known to your Lordship, to be such as to require action, and that the treaty was one made by the Viceroy of India, and not a treaty made by the foreign minister of this country, surely in that case the Indian Government must of necessity take action, and you could not possibly restrict it in its honourable fulfilment of the treaty. If the Indian Government had a treaty with a frontier chief, that being a treaty between the Viceroy of India and that frontier chief, the action must be taken by the Indian Government, and not from this country; and if the Indian Government failed to take action, they would not fulfil the conditions of their treaty?—I do not quite see the bearing of that argument.

2851. I understand your Lordship to say that we should restrict the action of the Indian Government within its frontiers?—No; I say that the less it has to do beyond its frontiers the better.

2852. All the outstanding questions with regard to Persia and India are frontier questions; on these frontier questions arise questions of conditions,

nditions, of treaties between these frontier iefs and the Viceroy of India, and the Viceroy India, in fulfilment of those treaties, must of cessity take certain steps; would it be right at under those circumstances the action of the oreign Office should be brought to bear to strict the Viceroy of India in the fulfilment of ose treaties?—No; but what I said was, that e action of the Foreign Office would be a presentation to the Persian Government re- mmended by the Secretary of State for Foreign ffairs, but the Secretary of State for Foreign ffairs could not possibly restrict the Govern- ment of India in performance of a condition of a treaty.

2853. Your opinion, I conclude, is, that the action of the Foreign Office should not be to restrict the action of the Indian Government within its frontiers in any way in which it thought that it should act?—I did not suggest that; I said that the less it had to do beyond its frontiers the better. I think the fewer guarantees they give beyond their own limits the better.

2854. We cannot get rid of those treaties already made?—It is impossible to get rid of the obligations under which you are at present.

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Mr. Francis Beilby Alston, again called in; and further Examined.

2855. Mr. *Rylands.*] The questions which I ve to put to you have reference to some replies at you made to inquiries which arose out of r. Bingham's case; on a former occasion when ou were examined, I took occasion to ask you, reference to certain pensions, Mr. Bingham ving had a consular superannuation of a con- derable amount granted to him: I asked you hether that superannuation was granted as a atter of course under the Superannuation Act, nply upon a report as to his age or infirmity, d without reference to the conduct that might ve characterised the fulfilling of his duties; and understood you to say that Mr. Bingham, or y other consular officer, had a right to a con- lar superannuation allowance, provided he had ached 60 years of age, or was disqualified by -health; is that a correct statement?—I rather ink that I stated on that occasion that any idence of bad conduct would tend very much interfere (I think those were my words) with e grant of a pension; at all events, that un- ubtedly would be the case.

2856. Then if you did not state it so it was nply an omission?—It would have been an ission. I certainly did not intend to state that y consular or diplomatic employé who had herwise qualified himself for a pension must cessarily obtain a pension if his general conduct d not been such as to warrant it.

2857. I did not suppose for a moment that ere was any intentional inaccuracy, but the ct was that you stated in reply to me that the anting of a superannuation to a consular officer llowed upon the report of the chief clerk, which d reference simply to the age or state of health the party concerned?—I rather think that I as drawing at the time a distinction between e pension accorded to a diplomatic officer, and e superannuation allowance assigned to a con- lar officer. I stated, or I intended to state, at the one was in point of fact an act of Royal ace and favour, not dependent upon age or in- mity of mind or body, whereas the other was pendent upon the applicant having reached the e of 65 years, or otherwise being incapacitated ysically from continuing his duties.

2858. I will draw your attention to section 8 the Superannuation Act, which gives the con- tions under which superannuations to public rvants, not heads of departments, are to be anted. It states, "It shall not be lawful for e Commissioners of the Treasury to grant the ll amount of superannuation allowance which an be granted under this Act to any person not ing the head officer, or one of the head officers of a department, unless upon production of a certificate (signed by the head officer of the department, or by two head officers if there be more than one) that he has served with diligence and fidelity to the satisfaction of such head officer or officers." That, I suppose, you admit is the requirement of the Act?—That is the requirement of the Act.

Mr. *F. B. Alston.*

2859. I wish to ask you whether in the case of Mr. Bingham, there was any such certificate granted that he had fulfilled his duty with "diligence and fidelity"?—There must have been such a certificate; the Treasury would not have granted the pension without it.

2860. And will that certificate be in the possession of the Treasury?—Undoubtedly.

2861. So that we shall be able to get from an officer of the Treasury that there was such a certificate, and that it was signed by some head officer of the department?—Signed by the Secretary of State.

2862. Would the certificate be signed by the Secretary of State in the case I mentioned?—In all cases the certificate is signed by the Secretary of State.

2863. Then I suppose I am correct in taking your answer in reference to Mr. Bingham to be, that so far as you know the Foreign Office was not aware of the character of these proceedings of his in Venezuela?—No, I do not say so. On the contrary, the Foreign Office was aware that there had been certain proceedings in which Mr. Bingham had been mixed up in the Acker's case; and it is right that I should add that the Foreign Office for a period of two, if not three, years abstained from proceeding with the question of Mr. Bingham's pension while those proceedings were under investigation and consideration, and it was only when it had been established to the satisfaction of the Government that nothing could be alleged against Mr. Bingham which should invalidate his claim to a pension, that the pension was granted to him.

2864. Are you aware that he was for some- time in prison at Caraccas, in Venezuela?—No.

2865. If you are not aware of the antecedents of Mr. Bingham in connection with this large pension, that will have a very material bearing upon the circumstances under which the pension was granted; could you tell us who can give us information as to Mr. Bingham's previous career before getting this pension?—Mr. Bingham's career was one of upwards of 40 years' duration.

2866. But as to the circumstances which I have alluded to, the circumstances under which he was moved from Naples, for instance, and generally

Mr *F. B. Alston.*

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generally his career in the diplomatic service?—I cannot answer that question offhand. Mr. Bingham's career, as I have stated, extended over a period of 40 years or more. At the time of his retirement he had reached the age which qualified him for a superannuation allowance. He applied for his pension, and the Acker's case being at the time under investigation, and it being considered that Mr. Bingham's conduct in that matter was open to question, his pension was withheld for a period of certainly two years while the matter was being investigated. At the conclusion of that investigation, namely, in the year, I think, 1860, a pension was assigned to him.

2867. Then you do not know that he was recalled from the consular service under circumstances arising out of dissatisfaction on the part of the Foreign Office with his conduct?—No, I do not know that; I am not prepared to say that.

2868. Mr. *Eastwick.*] Is it a fact that there was any suspension of relations at that time between the government of Venezuela and our own Government?—I cannot say; I should imagine not, because Mr. Orme was at the time chargé d'affaires at Caraccas.

2869. I am speaking of the time when Mr. Bingham was there; just after he left was there or was there not any interruption of good relations with the Venezuelan government?— That is a question I cannot answer offhand.

2870. And you are not aware whether the consul, Mr. Stacey, was put in prison by the Venezuelan government?—The matter is not present to my mind.

2871. Who could give any information on that subject?—I could procure it.

2872. Mr. *Lowther.*] Mr. Bingham entered the service in 1818, I see by the Foreign Office List?—Yes.

2873. And he became secretary of legation in 1831; though towards the end of his career he may have been wanting in judgment, I should imagine that he still would have a claim to his pension for his "diligence and fidelity" for the period up to the time at which he was failing in judgment?—I doubt whether the fact of a man's judgment having erred would be held to be a bar to his obtaining a pension under any circumstances. If a man had been guilty of malversation, that would be, I should think, a good ground for withholding his pension; but if a man had pursued his instructions, or had acted to the best of his ability, but had erred in judgment, I do not think that it would be a ground for refusing the man a pension merely because his judgment had been at fault; and I am not aware that anything more has been proved against Mr. Bingham in that matter.

Mr. Theodore Walrond and Mr. Edward Headlam, called in; and Examined.

Messrs. *T. Walrond* and *E. Headlam.*

2874. *Chairman* (to Mr. *Walrond*).] Are you Secretary to the Civil Service Commissioners?—Yes.

2875. (To Mr. *Headlam.*) And are you an Examiner?—Yes; I am the Senior Permanent Examiner.

2876. Sir *C. W. Dilke* (to Mr. *Walrond*).] With regard to the examination generally, what proportion of candidates are rejected in the first examination for the diplomatic service?—Should I take the whole number since 1855, or the number for the last three years?

2877. The number for the last three years?—The number of candidates passed since the beginning of 1866 has been 11; the number of candidates not passed in that time has been 10; I ought to say that that is a very much larger proportion than usual; looking back to 1855, I find that the total number passed since that year has been 63, and the total number not passed 34.

2878. Can you give the Committee any reasons why the proportion of rejections should have increased as it seems to have done?—I am afraid that there is a general tendency in pass examinations for the candidates not to do quite so well; probably, *à priori*, anybody would say that it must be so, and I think that the experience of these examinations rather shows it.

2879. That the tendency of pass examinations as distinguished from open competition is to steadily reduce the standard of efficiency of the candidates?—I think it is so; of course the number of rejections does not prove it, but I think there is a tendency in all pass examinations to lower the standard; they produce that result in three different ways. First of all, if a man does very well in all subjects except one, it is very natural that the Commissioners should a little, so to speak, lower the bar in that one; and having done so, it is not always easy to raise it again; then another way in which the system of pass examinations acts, is this: candidates and their crammers, if I may so call them, make it their business to find out how little will pass, and they gradually get to content themselves with only just getting up to the mark in every subject; there is that tendency naturally. And then besides that, there is this; if a candidate comes up and fails, supposing that he passes satisfactorily in every subject but say, two, then although he is always warned that if he is re-nominated he will be liable to be re-examined in all the subjects, still as a matter of practice, the Commissioners usually do not re-examine a man in the subjects that he has passed satisfactorily in, and therefore the candidate has only two subjects to devote his whole attention to, and of course can pass in those two with much less mental effort than if he had to carry the whole in his head together.

2880. Can you state the subjects in which the 10 candidates failed who have failed in the last three years?—I have not got it here divided so that I could state that specifically for the last three years; but I could state it for the whole period since 1855.

2881. I will ask a more limited question then: what number of candidates failed in French?—The number that are set down as failing in French alone during the whole time is six; that is, six out of the 34 who have failed since 1855.

2882. But there are some who failed in French and other things?—Yes.

2883. You have yourself, I think, had experience of the character of the French examination?—Yes.

2884. In your opinion, is the standard high?—That

is a very difficult question to answer; I ot think it is so high as it might be.

85. In the matter of French conversation, istance?—Conversation is no longer a part e test.

86. For what reason was that dropped?— ver understood that.

87. Your opinion would be that it ought ave been retained?—Yes; but still more, ink the writing of French from dictation, he translating of English into French ought ave been retained; it used to form part of ntrance examination, but now does not.

88. (To Mr. *Headlam.*) Could you, from ory, without the figures before you, say her, since the change, there have been any res at all in French, or any number of res?—I am sure that there have been some res in French since that change.

89. Although the standard has been lowered? lthough the standard has been lowered.

90. (To Mr. *Walrond.*) With regard to the nd examination and the international law h is required, have you any personal exence of the character of that examination?—ve had no personal experience in conducting the examination since the new system was tuted, but Mr. Headlam has.

91. (To Mr. *Headlam.*) What have you to upon that point?—With regard to the rnational law, we have a special examination hat subject by a reader in law at the Inner ple, and he could answer that question better I could as to the performance of the can-tes.

92. I merely wished to ask whether the dard in that subject was at all high?—Lately e have not been any examined in internaal law at all. For two years there has not been ngle candidate for the second examination, there was only one in 1867.

93. (To Mr. *Walrond.*) I do not know ther it is a subject which you have paid any ntion to, but I would like to ask you whether ddition to the general international law which second examination now comprises, it would be very desirable to examine the candidates private international law; for instance, the ing of the marriage laws of one country on e of another?—I am afraid that my opinion hat subject would be worth nothing at all.

94. With reference to competition geney, I would wish to ask you whether your ntion has been called at any time to Mr. nt Duff's suggestion to the Committee which in 186i upon the subject of a kind of open petition?—I was examined before that Comtee by Mr. Grant Duff, and he stated then views on the subject.

95. I think in consequence, to some extent, he evidence which you then gave he suggested he Committee a system which I will read to , in order to ask your opinion upon it: "The il Service Commissioners shall once every r hold an examination, open to all British jects who are desirous of entering the diplo-ic service; that the Civil Service Comsioners shall then certify to the Foreign retary the names of the 12 candidates who e distinguished themselves most highly in h examination, and that from these twelve the reign Secretary shall select the persons who to be appointed to attachéships during the ensuing 12 months;" what would be your opinion upon that suggestion?—I have no doubt that in that way you would get on the average a more highly qualified class of candidates. I do not mean to say that you would get better than we sometimes get now, for sometimes we get as good as it is possible to hope for; but you would get perhaps a higher average, and certainly the minimum would be higher.

2896. On what subjects do you think in such a case it would be advisable that that first examination should be held?—I suppose that the most important subjects are French and modern history and international law; but besides that there ought to be, as there is now, something of arithmetic; Latin certainly, I should think; and it seems to be thought desirable that there should be something of Euclid, probably rather more than the first book, which it is now.

2897. Do you concur in the opinions that the first book of Euclid, or even several books of Euclid, are of much use in an examination for the diplomatic service?—I think that so far as the study of Euclid tends to clear the head, it is as useful for the diplomatic service as it is for any other service; but it has no special relation to the diplomatic service.

2898. Perhaps the study of international law, scientifically conducted, would be equally valuable?—I have no doubt that it would be.

2899. There has been an objection stated by Lord Derby to this scheme of Mr. Grant Duff's, and that is, that those of the 12 candidates who might not be chosen by the Foreign Secretary during the year would consider that they had a grievance against the country, or against the Foreign Office; do you think that there is weight to be attached to that objection?—I should not be disposed myself to attach any weight to it, because I think it is very desirable indeed, that not only in the Foreign Office, but in every office, not only the power but the right of the head of the office in that respect should be distinctly recognised and understood; and if that were very openly stated as one of the conditions of the competition, I do not think that there would be any grievance at all.

2900. Do you think that your colleagues generally would concur in the advisability of some such scheme as this of Mr. Grant Duff's?—I was not authorised to speak for anyone but myself.

2901. Mr. *Eastwick.*] Do you think that the examination as it now stands, in French, shows a knowledge of the language so well as conversation, and writing a French letter?—I should say, as far as my experience goes, that the best test is translating into French, and, next to that, writing from dictation; I think that those are the two best tests, on the whole.

2902. But do not you think that a gentleman who could write a French letter without dictation, and without reference to a dictionary, and could write it without mistakes, and in good idiom, must know the language perfectly?—Yes, no doubt; but it always seems to me that it is a better test to confine the candidate within narrow limits than to leave very wide limits; for instance, he might write a letter on some subject that he had often written upon before, and that would not then be so good a test as, say, a page of Macaulay, or something of that kind, to translate into French.

2903. But supposing that you added to that

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translating from English into French, writing a letter and conversation, would you not consider that a much better test of scholarship?—Yes.

2904. For the Ireland scholarship at Oxford they give you a theme, and you write a dialogue or essay in Greek, do you not?—Sometimes that is done, but not habitually.

2905. Are you at all aware of the system of examination in India, and do you know that it is a fact that they examine in the colloquial, and also in translating from English into the colloquial, and that they make that a most important feature of the examination?—Certainly; I have always understood so.

2906. I would like to ask you whether you think that, supposing that the appointments to the diplomatic service were open to the universities, there would be competition for them, and that you would get candidates from the universities; I am not speaking simply of the Universities of Oxford and Cambridge, but we will say Trinity College, Dublin, and other places?—I think that the fact that the service is unpaid, and also the fact of the peculiar duties which have to be discharged in it, which many even clever men must know perfectly well that they are not well fitted for, would debar a great many men from coming. I think it would never be a very large number that would compete.

2907. You would get some, at any rate?—Yes.

2908. Would you get any that had taken degrees in honours?—I think so.

2909. And supposing that you could get candidates having taken degrees in honours at the universities, do you think that upon the whole they would be a better class of men to be appointed than the men now appointed?—I could hardly say that; I would rather leave it to be decided, according to Mr. Grant Duff's plan, by the Secretary of State, after having seen them and inquired into their antecedents.

2910. I would just like to ask whether there have been any failures in orthography?—Going back to 1855, I find that there have been, during these 15 years, as many as three failures in orthography alone, one in orthography and handwriting together, and 15 others where orthography and handwriting and arithmetic were involved, but not exclusively due to those subjects.

2911. Have there been any of late years in that subject?—I am not able to say that, not having the returns.

2912. (To Mr. *Headlam.*) Are you able to state that?—I know for a fact that there have, in the last two years, been some candidates who have failed in orthography.

2913. Mr. *William Cartwright.*] Do you know what proportion?—I have only got it made out for the whole time from 1855, and not for the last three years.

2914. Mr. *Eastwick* (to Mr. *Walrond*).] Do you think that, supposing you made it a condition of appointment that a man should have taken a degree in honours at the university, you would have failures in orthography and general intelligence?—Even the highest degree at Oxford in my time was not an absolute guarantee against a failure in orthography; it was a thing that was not regarded, but I do not think that with such a condition the chance of failure would be very great.

2915. It would be less than at present?—Yes.

2916. Mr. *Rylands.*] You have stated that the present condition of the service you thou it probably might be the case that there wo not be many applicants for the open examinat upon which you have been asked?—Yes.

2917. The circumstance to which you h mainly alluded being the fact that the servic unpaid?—That was one, but by no means only one.

2918. But that is one?—That is one.

2919. And if under new arrangements pers entering the diplomatic service were paid fr their first appointment, according to the nat of their duties, you would consider, of cour that that would remove entirely the objection which you have just now alluded?—It wo remove that one objection; but not by any me the only one. I think that the peculiar nat of the duties, which many persons must feel th are not well qualified to discharge, would a deter many persons.

2920. From your experience do you find t persons contemplating entering into any bra of the public service are affected by conside tions as to whether they are specially adap for it?—With regard to the ordinary civil s vice clerkships, in most of the departments t duties are of such an ordinary character th I do not think this consideration does act; I the peculiarity of the diplomatic service, I thi is that it requires qualifications such as are developed in clerks.

2921. And you think that the knowledge that would tend to limit the number of pers coming forward for such an open competiti examination?—Yes.

2922. But do not you think that if the serv were paid there would be a sufficient number persons coming forward under the conditions the service to enable the Civil Service Comm sioners to select candidates according to the pl of Mr. Grant Duff?—Yes; and I think that ev without paying the service there would be a su cient number to give a considerable area for lection.

2923. Then you think that under the pres circumstances of the case, this plan would rea be found to be a practicable plan, and wou secure results rather better than the pres mode of appointing to the diplomatic service? Yes.

2924. There is one point that I did not gath from your examination; but I think that t Civil Service Commissioners are quite alive the fact that where there are intellectual quirements, such as secure passing a competiti examination, it is generally found that high mo character accompanies such intellectual p ficiency; has your attention ever been direct to that point?—So far as it is a patent fact. is I believe recognised that diligence and dev tion to study generally go along with orderly h haviour and conduct; I do not think that y can go very much further than that.

2925. But still your experience would le you to go to that point, at all events?—Yes.

2926. And that such an intellectual traini has the effect of producing refinement of manne in most cases?—Yes.

2927. Mr. *William Lowther.*] Do I understa you correctly, that a man who passes a very go examination is more likely to be moral than man who passes a less good one?—I think if y look at the universities for instance, and take t cl

-s of men who go in for honours and the class men who do not, while I do not mean to say t there are not quite as good men in the ond class as in the first class, if you look for orderly conduct, it is generally in the second ss, and not in the first.

2928. With regard to French in the examina- h French conversation is now not included? t is now no longer an obligatory part of the rance examination.

2929. And is there no speaking of French?— e candidates are only examined in translating paper passages of French into English, and in swering questions on French grammar.

2930. And there is no means of judging of ir French accent?—As an obligatory thing re is none; they may, if they choose, present mselves, as an extra and voluntary thing, for amination in French speaking.

2931. It would not give them any number of rks?—It would not.

2932. When was that altered?—In July 1865, Lord Russell.

2933. Do you think it advisable that that uld be put back again to its former footing? Yes, certainly; unless there are some reasons at I do not know of against doing so.

2934. That is not confined to French; there no *vivâ voce* examination in German or in any her language?—No.

2935. Mr. *Otway.*] A young man might be rfectly competent, I conclude, to pass the amination before the Civil Service Commis- ners for an attaché, and thereby qualify him- lf, and yet be totally deficient; to your know- dge in moral qualities and in tact, and in ticence, in short in all the qualities that would him for the diplomatic profession?—No can- date could get the certificate of the Civil Ser- ce Commissioners who was totally deficient in me of the moral qualities, because one of the ints on which they certify is that his character such as to fit him for public employment. But to tact or reticence, or the peculiar qualifica- ons required for diplomatic duties, I do not ink that our examination is the very least uarantee of those things; and it is for that reason, it seems to me, that if there were such a scheme, it is essential that the Secretary of State should have the freest choice among the candidates presented to him.

2936. Indeed, you stated before that there are peculiar qualifications for that service which you thought, with your knowledge of the universities (which I know to be very extensive) and public schools would prevent many men from competing for it; because they would be aware of their own deficiency in those respects?—Yes.

2937. Mr. *Kinnaird.*] How are the certificates of character that you have just mentioned obtained; what are the requisites of the examiners? —That is not a very easy question to answer, though it seems so. The Commissioners are required to satisfy themselves that the candidate's character is such as to fit him for public employment; and they address questions on the subject to the candidate's referees, and other persons well acquainted with him, and if he has been in any Government office, to the heads of the office, and, in short, to every person that they think has anything to tell them about it, until they are satisfied.

2938. And therefore as to character, you have the usual guarantee given by any other persons entering a public office?—Yes, far more than the usual guarantee of character, I think.

2939. As far as your present experience goes, I think that there has been no such great failure in that respect or in the reference to the Commissioners?—None at all for the diplomatic service.

2940. Sir *C. W. Dilke.*] And in reference to the point of tact, which was put by Mr. Otway, the leaving the Secretary of State to select from the 12, as proposed by Mr. Grant Duff, would secure that?—I should suppose so.

2941. Mr. *Otway.*] But if those candidates came up in any public competition, the Secretary of State could know nothing about them, could he?—I think that it would be very unfortunate if, among 12 presented to him as having passed a severe examination for one vacancy, he were not able to find out one about whom he could get tolerable security that he had those qualifications.

Monday, 16*th May* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. WILLIAM DOUGAL CHRISTIE, again called in; and further Examined.

Mr. *W. D. Christie.*
16 May 1870.

2942. Mr. *Rylands.*] I WISH to call your attention to the last question that I put to you on the 9th of May with regard to the commercial reports of secretaries of legation, and to ask if you assisted your secretary of legation by pointing out subjects that he should attend to, and in getting information?—Certainly; I felt it to be my duty to do so. I never had anything to do with the reports of secretaries of legation till I found myself minister in Brazil. Probably the regulation did not exist before. I directed the secretary's attention to subjects which I thought he might usefully report upon; I suggested to him a tour, for the purpose of obtaining additional information, and when he had made his report he sent it to me to read; I went over it carefully, and made suggestions to him, which he, I may say, accepted in all cases and thanked me for, and I forwarded the report to the Foreign Office. Mr. Baillie is the secretary of legation to whom I am referring, and he made some very valuable reports on Brazil, the first that had been made.

2943. In formally forwarding these reports to the Foreign Office, did you make any additional observations in relation to them?—Yes; I remember writing what is called a covering despatch on the occasion of Mr. Baillie's first report, and making some explanations, but I do not think that there was anything of very great importance in what I wrote; it did not, however, appear published with the secretary's report, and I may say that the practice has been for ministers to forward these reports without making any observation.

2944. I wish to call your attention to a statement made by Mr. Hammond in reply to Question 559 put to him by me in reference to this point; I asked Mr. Hammond this question: "I am anxious to be satisfied that under the instructions of the Foreign Office in relation to this important matter, the heads of missions are expected to take an active personal supervision of those material interests which come within these reports?" and Mr. Hammond's reply was: "If you mean by supervision, correcting and amending the secretary's report, I do not consider that that is the duty of the head of a mission, and it would entirely defeat the object of the regulation." Subsequently he says: "Supervision, as I understand it, means seeing that the report is sent in at a certain time, and, if you choose to carry it still further, that the secretary of legation has those facilities afforded to him for collecting materials for his report which it is the desire of the Foreign Office should be at his disposal;" is that your view —No; I certainly take an entirely different view from Mr. Hammond of a minister's duty in the way of supervision, and I should say that Mr. Hammond there has not correctly stated the object of these reports. I think that the instructions given in Lord Clarendon's circular certainly mean that a minister is to exercise a supervision over these reports, for the purpose of improving them. I do not know exactly what Mr. Hammond conceived to be the object of these reports. It is stated that they are intended for the training of secretaries, and for publication, in order to make the English public acquainted with what it was important for them to know in respect of foreign countries. Certainly in regard to the latter object, I should conceive it to be of the utmost importance that if these reports are made by secretaries, they should be supervised and improved and perfected by the ministers. The report must be very much more valuable to the public, and more authentic if it goes before the public with the minister's responsibility.

2945. I see Mr. Hammond also says that "The head of a mission would report generally upon industrial and commercial questions; but these reports are things special to themselves; they would cease to be secretaries of legations' reports if you made them, as you assume they should be, ministers' reports." And he also says, "The report of the secretary of legation is upon a particular subject; he does not treat of the whole commerce of the country. Very often his reports have been upon matters having nothing on earth to do with commerce;" have you any remark to make on that?—I do not know what the commercial reports made by ministers are. Certainly I should conceive that these reports made by secretaries of legation who were directed

rected specially to devote their attention to ie making of those reports, should be so made to supersede the necessity of other reports nt by the ministers. The plan has been introuced since I served of dividing ministers' desatches into commercial and political, and Mr. Iammond may refer to the commercial despatches f ministers; but I should certainly say that all hat is sent home relating to commerce should ome from one official, and that official the chief f the mission. It occurs to me to mention that here is no doubt that it has become the belief the service, or it had become the belief in the ervice (I am speaking in the presence of a genman who has had long experience as a secreary of legation), that the secretaries were indeendent of the ministers as regards these reports, nd I think that so far as it extended that was a ery pernicious opinion; and I may mention (it nvolves no imputation on character, but I think hat it illustrates the management of the Foreign ffice) that it did happen to me with regard to a ecretary, that he not having made any report t all, after having been eight or nine months in he country, and the rule being that it should be ade after three months' residence, I called Lord ussell's attention to the fact, and that being ommunicated to the secretary, he replied that s to those reports he was responsible only to ord Russell, which meant that I had no busiess to interfere in the matter.

2946. Then whatever the practice is you, from our experience, would say that you are deidedly of opinion, in relation to these reports resented by secretaries of legation, they should e done under the immediate supervision and ontrol of the head of the mission?—I think it tands to reason that these important reports on ost important subjects, made for the purpose f publication, made for the purpose of enlightenng the British public as to the various comercial interests of different countries, should e made under the supervision and with the ctive assistance of the chief of the mission, and hat they should go forth as the authentic reports f Her Majesty's ambassadors and ministers broad who are the responsible officials.

2947. You are aware that the idea of the oreign Office is, that the preparation of these eports is a means of education for the secretaries f legation; are you aware that there was a ircular sent out in 1864, telling ministers to mploy their junior secretaries in drawing up eports in order to improve their minds?—I do ot know what you refer to.

2948. It was a circular sent out on the 23rd of May 1864, directing ministers abroad to employ their junior secretaries in drawing up reports in order to improve their minds; Mr. Hammond considered in the same way that these reports of secretaries of legation were mainly with a view to their educational benefit; are you aware of that circular to which I have alluded?—There was a circular sent out, not relating to these reports to be made by the first secretary of legation, but a circular advising ministers as to how they should proceed in instructing junior secretaries by causing them to prepare précis of subjects. I certainly should not have thought that it was necessary for that circular to be sent to ambassadors and ministers. Lord Lyons has observed, in one of his papers, that all that is required to be told to ministers with regard to junior secretaries is what is told them in the letter of appointment, that they are to be employed by the minister in the way which he finds most useful for the public service. And, if I remember rightly, that circular was misunderstood by several of the ambassadors and ministers, who thought that it applied to the first secretaries.

2949. You would not consider that the fact of the head of the mission taking an active superintendence in directing these commercial reports would in any way interfere with the educational effect of the employment of the secretaries of legation in that work?—I think that it ought materially to assist it; certainly it must enhance the value of the reports made, their real value and their value as authorities.

2950. I gather from your previously stated opinion that in relation to the secretaries of legation generally, you would say that the head of the mission ought to have the control of the employment of the whole of them in the preparation of these reports, in such a way as he might think fit at the time?—There ought to be one chief authority in every embassy or mission, and any assignment of independent duties, or of duties which are supposed to be dependent, must tend to interfere with discipline, and does do so. You find many ambassadors and ministers writing that the secretaries are entirely occupied with these reports; and of course there is a very natural tendency in secretaries, or any other officials to whom a particular duty is assigned, to exaggerate that duty, or (to put it in another way) to try and do their work in the best possible manner, and so to give more time to it than is necessary. If the preparation of those reports were made, as I conceive it ought to be (and I mentioned before the analogy of the annual reports sent home by Colonial governors) the duty of responsible chiefs, you would be able to preserve a certain proportion in that part of the work of the mission to other parts; you would keep it properly subordinate. I believe that the original object of these circulars directing the preparation of reports (and my belief is founded on a statement in the first circular addressed by Lord Clarendon) was to give some employment to the secretaries; it was considered that they did nothing, or that they had nothing to do before.

2951. But the main points in addition to the matter affecting more particularly the commercial reports to which I want to direct your attention is this; from your experience I gather from your replies you are very strongly of opinion that the head of the mission ought to have directing control over his subordinates with a view to the effective working of the mission?—I have no doubt about that; and being anxious always to support my opinion by the authority of gentlemen of more experience and greater authority, I refer to statements made by, among others, Lord Lyons and Sir Henry Elliot, as to the want of sufficient discipline and the inconvenience felt by ambassadors and ministers in not being able to command the services of the secretaries of legation as they would desire, and as even the instructions as to their duty require; that has been distinctly stated by Sir Henry Elliot in his late report.

2952. In connection with that subject I should like to know whether practically, from your knowledge and experience, you can say that the conduct

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conduct of the missions is of a very harmonious character, or does the want of control on the part of the heads of missions lead within your knowledge to quarrelling and differences amongst the members of legation?—My experience does not extend beyond the year 1863. I certainly say without hesitation that during the time that I was in the service, which was 15 years, quarrelling at embassies and missions was very frequent. I am not sure that I would not go so far as to say that perfect harmony at any embassy or mission was the exception rather than the rule. A right honourable Member of this Committee, who has had much greater experience than I, the late ambassador at Constantinople, could be asked on the same subject. I am speaking in the presence of a gentleman who was secretary of legation and of embassy for a long time, and I give you my opinion, which is that quarrelling at embassies and missions has certainly been frequent. In all these cases generally there are faults on both sides, but it does arise from the system which gives an impaired or weakened authority to the chief, which puts him in the position of not being able to command (and I do not use the word command in any sense that could be considered offensive), the services of a subordinate as a Colonial governor can command the services of a clerk, or as a Secretary of State can command the services of members of his department; and there is no doubt whatever that there is or has been much disposition to appeal to the Foreign Office against particular orders, the minute instructions which of late years have been issued as to the way in which ambassadors or ministers should employ their secretaries, and the assigning to them of specific duties, and trying to enumerate the duties has increased, I think, the tendency to disunion. These things are generally best proved by an instance; and here again I can mention an instance within my own experience and knowledge, showing what probably was not sufficiently considered when these minute circulars were framed. It happened to me to be obliged to call on a secretary to proceed to a port not very far from Rio, to take the temporary charge of a consulate. The consul had leave of absence on account of his health, which would have been endangered by his remaining. I was unable to find anyone but the secretary to take his place, and I called upon the secretary to do so. He declined to go and persisted in declining in spite of all my advice. No doubt he felt that he was justified in declining. I did all I could to get him to retract his refusal, but in vain. I was then obliged to apply to the senior naval officer in the port, to supply me with a lieutenant, which he did, and that got over the difficulty. This gentleman to whom I have alluded is now dead, and he was in other respects an excellent secretary; but I was obliged to report this circumstance, which caused a good deal of ill-will; and I mention it because his reason for refusing was this, "Here is a circular defining my duty; there is nothing said in this circular as to my being called upon to perform consular duties, and with all respect I decline to do so."

2953. And in order to make up for the want of his performance of this public duty connected with your department, you got a naval officer of a ship of war to do what one of your own staff refused to do?—Yes, and when, subsequently, the matter came before Lord Russell, he said at once that the secretary ought to have done what I called upon him to do.

2954. I have now to ask you whether, a minister or consul abroad, you ever expended secret service money?—Yes, I have done so, certainly.

2955. Passing now to another subject, I wish to ask whether you are acquainted with the Act of last year, chapter 43, for the payment of diplomatic salaries and pensions?—Yes, I know the Act, and have paid some attention to it, being, in fact, personally interested in it, or thinking myself so.

2956. Will you explain, shortly, if you please, the position of pensions under that Act, and any changes introduced by it, as compared with previous Acts?—It is rather a large subject to go into. Under the Act which before regulated pensions, only two years' service as an ambassador in the foreign country to which the ambassador was accredited was required, with a total of 15 years' service, to entitle an ambassador to the highest pension of 1,700*l.* a year; and so far as ambassadors were concerned, a change was made by the late Act, extending the time of an ambassador's service from two to three years. No change was made as to the second class of pensions, the pension of 1,300*l.* a year, for which was required before, and is required now, an actual service of five years, at what is called a first class mission, in the country to which the envoy extraordinary and minister plenipotentiary is accredited. But a very considerable change was made as regards pensions for chargé d'affaires. Formerly the third class of pension, a pension of 900*l.* a year, was due only to an envoy extraordinary and minister plenipotentiary, or to a minister plenipotentiary of what is called a second class mission, or to a minister resident; but this Act raised the pension of 700*l.* a year formerly due to a chargé d'affaires, from 700*l.* a year to 900*l.* a year, and it also introduced, for the first time in legislation, into the diplomatic service for a pension, a chargé d'affaires and consul general, and an agent and consul general. Before the passing of this Act no diplomatic pension could legally be given, except to ambassadors, ministers of first and second class missions, ministers resident, and secretaries of embassy or legation, and other members of the diplomatic service.

2957. Is there any special point in connection with the system of pensions to which you wish to direct the attention of the Committee; are there any modifications of that Act that you think would be desirable in connection with the diplomatic service?—Perhaps you would allow me to add to the answer to your previous question that changes were made bearing on the question of transfer from the civil to the diplomatic service which will, I should say, have a very good effect as tending to facilitate such transfers; there was previously no difficulty under the Act of William the Fourth in the case of transfers from the diplomatic service to the consular service; for instance, taking Mr. Griffiths and Mr. Bingham, all their diplomatic service counted when they came to be pensioned under the Consular Superannuation Act as chargés d'affaires and consuls general, the appointment of chargé d'affaires and consul general being then on the consular establishment; but until this Act was passed there was no provision which would serve for a gentleman transferred from the Foreign Office or from the consular service to the diplomatic service; that

that is to say, all the time in the Foreign Office and the consular service would have been lost for a person who afterwards became a diplomatist and who could only get his pension under his diplomatic character, and I should say that that is a very great improvement, and that it will tend very much to facilitate transfers from the Foreign Office to the diplomatic service and from the consular service to the diplomatic service; you have also asked me whether there is any point to which I would wish to direct attention with regard to changes which might be made; I should say that I think there has been and continues to be an unfairness as regards envoys extraordinary and ministers plenipotentiary between those who are holders of first-class and those who are holders of second-class missions; now, that distinction of first-class and second-class missions is, I think, an arbitrary distinction, and one dependent entirely upon the power of the Foreign Office; the former Pension Act provided, indeed the words of the former Act were, that every one having the rank of envoy extraordinary and minister plenipotentiary should be entitled, when he had completed the condition of 15 years from his first commission, ten years' total service and five years in that particular rank, to a pension of 1,300 *l.* a year; the Foreign Office has made a distinction, no doubt for good reasons, at least intending what was right, between first-class and second-class missions; now here I think an instance will show the hardness of the operation; there is Sir Alexander Malet, who at the end of something like 40 years' total service, and at the end of 20 years' service as an envoy extraordinary and minister plenipotentiary in a second-class mission, when at last he was obliged to retire from the service by force of circumstances and lost his mission in that way, was entitled only to a pension of 900*l.* a year, simply because he had only served in a second class mission; and I should say there is no doubt whatever that Frankfort was, while Sir Alexander Malet was holding his position there, a mission of very great importance; I would recommend an equalisation of the pension for first-class and second-class missions which need not necessarily remain at the present standard of 1,300*l.* a year, but a medium of 1,100*l.* a year between the 1,300*l.* and 900*l.* might be selected; and I am anxious to state that I should not benefit by any improvement with regard to the pension, as I was only minister plenipotentiary for a portion of my five years and not an envoy extraordinary and minister plenipotentiary.

2958. Now, with regard to a recommendation which you gave to the Committee the other day when as a measure of economy you spoke of the desirability of putting the consular duty under the mission in capitals which are ports, I wish to ask how you propose to deal with consulates at outports; do you think that any economy could be effected with them by bringing them more under the control of the mission, or in any other way?—I think that great economy might be effected with regard to consulates other than those of which I spoke the other day, the consulates at ports which are capitals and where we also have a mission, that would be effected partly by bringing them more closely under the supervision of the mission, but it would be chiefly effected by the introduction of a new plan.

2959. Would you carry that out to the extent of giving the minister a greater amount of control over consuls elsewhere in the district to which he is accredited than he has at present?—He has control now, and it is laid down now by the Foreign Office that the consuls are entirely subordinate to the minister. Still I think that the mission in the country might be made more completely the head and central office to which all consuls should send their reports, and to which all consular information should converge; and that being thoroughly carried out, I think you might change very considerably indeed, if not entirely, your plan as regards most consulates in outports; I am speaking with reference to my own experience, and I particularly wish it to be understood that I am giving no opinion about the consulates in the East, about which I know nothing, and where consuls have judicial functions; and I give no opinion about consulates in China and Japan, and those countries where there is a special service. But speaking of Brazil and Buenos Ayres, and countries which I know, and feeling myself safe in extending my observations on those countries to European countries, I think that we might avail ourselves to a great extent of resident merchants of respectability and intelligence, for the performance of what is necessary consular work, under the effective superintendence of the mission of the country.

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2960. Mr. *Holms.*] You have said that you believe that economy might be effected by consuls sending their communication to a central mission; would those communications be merely of a political character, or would they be both political and commercial?—Their political communications necessarily are sent to the mission; but I think that they might be made very much more subordinate to the mission at the capital; and I have mentioned a plan for effecting that object; I will not go further into it now, but perhaps it may be considered hereafter, if it is thought desirable. Perhaps I may mention that having made a calculation if my plan were adopted, I think that in Brazil alone a saving might be made, reducing the sum of something like 4,500*l.*, which is at present the expense of the five consulates of Bahia, Pará, Pernambuco, Rio Grande do Sul, and Santos, to 1,500*l.*, which would be a saving of 3,000*l.* a year.

2961. Mr. *Rylands.*] I quite understood you to say, on a former occasion, that any duty performed by the mission of a consular character would be paid by fees, and therefore that you think that in reference to other duties that are now performed by missions, fees should also be received; have you formed any opinion as to the best mode of collecting those fees, whether by stamps or otherwise?—I think that the stamp system is the best that could be adopted. As you have alluded to my recommendation as to fees being received at embassies and missions as well as at consulates, may I add that there is another case in which the receiving of fees at consulates and not receiving them at missions shows an anomaly. With regard to marriages, for instance, a considerable fee is required for a marriage performed at a consulate, but for marriages performed at missions, the mission exacts no fee, and has no power of exacting any; and I can see no season why fees should not be received at embassies and missions when marriages are performed there.

2962. With reference to the clerical management of a mission, and the archives more particularly,

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particularly, within your experience are the despatches carefully filed, bound, and placed in such a position as to be easy of reference?—They are certainly carefully filed, and wherever I have been I have found them all carefully arranged in bundles. I stated before that I have seen the inconvenience of a continual change from one minister's house to another, or from one minister's house to the lodging of a chargé d'affaires. Continual changes occurring in that way affect the order in which the archives are kept. I have observed, that it has been stated that the despatches are always bound, but that certainly is not the case according to my experience. I do not know whether Mr. Cameron remembers how it was in Switzerland, but both in Buenos Ayres and in Brazil the despatches have not been bound. I remember writing to the Foreign Office recommending that they should be bound, but I never received any instructions to bind them.

2963. In transacting the work of a foreign mission, do you think that copying machines might be with advantage used?—I should say that copying machines might be advantageously used to a great extent; and if there is any difficulty with regard to important political despatches which are sent home, and which circulate among the Cabinet and go before Her Majesty, I have no doubt whatever that it would be a very great advantage that copying machines should be used by ministers and consuls abroad, for subsidiary and local correspondence; and my own experience is, that the actual manual assistance which a minister has is very much less than the number of the staff would lead you to expect.

2964. I will not ask you in reference to anything connected with the internal management of the Foreign Office; but in your position as minister, you must have had many opportunities of seeing how the operations of the Foreign Office act upon the diplomatic service, and I should like to ask you whether you can suggest any changes in the arrangements of the Foreign Office which would contribute to the better management of the diplomatic service?—I should certainly say, in answer to your question, that the efficiency of the management of the diplomatic service depends so very much, if not mainly, on the Foreign Office, that the question of the Foreign Office is perhaps the greater part of, or the root of the question of the diplomatic service; and I should further presume to say, that any gentleman who has served abroad in diplomacy would have very good opportunities of judging of the Foreign Office. I should be prepared, in answer to your question, and would desire to make several suggestions, and I would make them as briefly as I can; but I am afraid that, if the Committee will allow me to mention, in answer to your question, all the points of change which I would suggest, the answer to the question might be a long one. I will make it as short as I can, but I certainly would wish to suggest various changes in the management of the Foreign Office which I believe would contribute to the efficiency of the diplomatic service.

2965. Will you be good enough to prepare and put in a memorandum in reference to the points on which your experience of the action of the Foreign Office upon foreign missions suggests certain improvements?—I should be very happy to do so, and I would much prefer expressing my views in writing to expressing them in evidence.

2966. I asked you the other day whether you had ever been offered employment since you had a pension assigned to you, and you said that you had not; have you applied for employment since Lord Russell was Foreign Secretary, to his successors?—Yes, I have done so; and having heard a question put by an honourable Member of this Committee to Lord Derby, when he was here the other day, I may say that I was surprised to hear the question, but I am thankful to the honourable Member for having put it; and having heard Lord Derby's answer I shall be particularly thankful to the Committee if I may be allowed to make a short statement bearing on the honourable Member's question and Lord Derby's answer. I have applied both to Lord Clarendon and to Lord Derby; I may say that I appealed with some hope to Lord Clarendon, remembering all his kindness to me when I served under him before, and knowing the high encomiums which he had always given to me for my services. It is due to Lord Clarendon to say that he has had very little patronage indeed, and I believe really that both during his former last tenure of the Foreign Office and during the present he has only had two missions to give away. I think I may say that Lord Clarendon, treating me with the kindness which I always experienced from him, gave me and my friends some hope that he would at a suitable moment offer to re-employ me. I am not at all surprised at his not having done so. I know the difficulty under which he is placed, and I wish the Committee to understand that I am not making the least complaint as regards Lord Clarendon. I feel that not having been re-appointed by Lord Russell before he left office, although he wrote to me privately that he had intended to appoint me minister to Switzerland, but having been shelved on a pension, as I was after the service I did in Brazil, the public had an impression that I was discredited, and Lord Clarendon or Lord Derby would be under the great difficulty of sending to a foreign court a minister who, although his conduct had been entirely approved of as regards that public transaction, appears to the public as one discredited. I know that the general impression is that I mismanaged the Brazilian matter. On the contrary, I know and state boldly, that my conduct as to that was entirely and cordially approved by Lord Russell, whose private expressions to me were as strong as anything Lord Palmerston said in the House of Commons. As regards Lord Derby, I am glad to have the opportunity to say that I can only thank him for the manner in which he received the application which I made to him, and for what I believe to have been his sincere desire to re-appoint me if he had an opportunity. He told me, on the first occasion that I applied to him, that it would give him great pleasure to give me employment again if he had an opportunity. The year after I called upon him and the subject was renewed, and he said frankly that notwithstanding his desire, which remained the same, he found a great difficulty in consequence of the number of secretaries then existing who were pressing for promotion, whose claims he felt to be strong, and he wished me to understand distinctly that if he did not give me employment it was not in any way on account of what had happened in Brazil, or of the manner

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which I had performed my duties, but solely entirely on account of the claims of the retaries pressing for promotion. And I think the Committee will remember that Lord by made substantially the same remark here, I am anxious to have the opportunity of ing that if it was necessary for me to have my ef in his frankness strengthened, it was ngthened by what I heard him state here.

967. I will now call your attention to the stion of Brazil: in answer to a question of e on Monday last, you told us how long you been minister in Brazil; will you now tell what was your work there?—My work was y various. I am afraid that I could not tell what the work was without entering into ay details. I had two very important subjects handle, which had been going on for a very g time, and which I found in a very unsatis- tory state. One was the pressing for the lement of claims of British subjects, to the ount of 200,000*l.* or 300,000*l.*, many of which ms were 30 or 40 years old; and the other the obtaining from the Brazilian Govern- nt justice to a very large number, some 10,000 free blacks as they were called, slaves who had merely been liberated by a mixed British and azilian Commission, and handed over to the azilian Government to treat as free men, but o were treated as slaves, and had been kept slaves for a very long time. That had been subject of very strong remonstrances for a eat number of years by Sir James Hudson and er predecessors of mine, and I had to continue t correspondence. Then other questions arose, complaints of British subjects, and in the end se two questions, the question of the plunder the wreck, and the murders of the remnant of crew of a merchant vessel called the "Prince Wales;" and the offence, as the admiral con- ved it to be (and I entirely agreed with him his opinion), offered to some officers of the itish flagship.

2968. My reason for putting the question was, t in answer to a question which I put to him, r. Hammond, in reference to the slave trade, l the employment given to our mission in the azils in connection with that subject, stated, t though the slave trade had ceased in Brazil, re was a great deal connected with slavery ll to be watched over, which occupied the ssion there: in answer to Question 588, Mr. mmond says, in reference to those questions slavery, "They have subsided as regards the ve trade entirely, but there is a great deal in azil which those persons in this country who ze an interest in matters connected with slavery nk ought still to be watched over;" is that a rect statement of the case, in your opinion?— is an entire mistake of Mr. Hammond's that ere is so much time taken up in watching very, and that a great deal of business remains the mission in connection with the watching slavery. A comparison of the size of the nual Slave Trade Blue Books, before the ces- ion of the slave trade, with those issued now ll at once show any Member of the Committee, l an inspection of the contents of the last nual Slave Trade Blue Book, class B, will ow that there are very few reports indeed from e mission. In the last year's Slave Trade Blue ook I saw only one despatch from the minister. e consider ourselves bound and entitled, under

treaty, to interfere with the Brazilian Government on the question of the slave trade, but we are not entitled to interfere with them on the question of slavery; and as regards watching slavery, I see no signs of that being done. There are interesting questions as regards the slavery of the Indians in the north of Brazil, about which no information is given in the late Slave Trade Blue Book, and I presume that the despatches contain no information on that subject, although travellers, Mr. Agassiz, for instance, have given very interesting information with regard to it.

2969. Then I gather that it is not correct to say that there is a good deal remaining to be done by the mission in Brazil on that subject?—There is now very little in the way of reports on slavery.

2970. Mr. *Otway.*] That is your opinion?—It is my opinion; but my opinion is founded on facts which are open to every member of the Committee, the despatches published in the Blue Book, and what I know of the policy and the rights of Great Britain with regard to slavery in Brazil.

2971. Are you aware of all the matters connected in any way with the slave trade claims, or the despatches that may have been addressed to the Foreign Office?—I think I know all about the claims with regard to the slave trade; those are old claims on which I myself made an extensive report, and that has nothing to do with the watching of slavery in Brazil.

2972. The correspondence on this subject now does not pass through your hands, I presume?—I read the Slave Trade Blue Book every year.

2973. Are you of opinion that that Blue Book gives an account of all the correspondence on claims connected with the slave trade, which the Foreign Office may deal with between the Brazilian legation and the Foreign Office?—I was asked about watching slavery in Brazil, and I say that the correspondence about claims has nothing to do with that.

2974. The honourable Member asked you about an answer of Mr. Hammond's, given in reply to Question 588, which was this, "Those questions have subsided as regards the slave trade entirely; but there is a great deal in Brazil which those persons in this country who take an interest in matters connected with slavery think ought still to be watched over; I allude to the domestic slavery; the descendants of that system which is now happily abolished are still to be found in Brazil;" and he asked you, with reference to that question, whether that is an incorrect account of the matter, and you say that it is?—My answer was, that I thought it an entire mistake, and I adhere to that.

2975. Then I asked you whether it was not merely your opinion; and thereupon I asked whether, in support of Mr. Hammond's opinion, although the slave trade itself has ceased, there are not many questions still pending connected with the slave trade which would afford occupation to the legation at Brazil?—There is a correspondence going on now, I know, about claims of the Brazilian Government founded on slave trade claims in former years, a correspondence which was going on in my time.

2976. Which is, for all you know, now going on?—Yes; but Mr. Hammond's answer had reference to the question of watching over do-

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mestic slavery. This subject of the claims is entirely distinct from the question of domestic slavery.

2977. But would not that subject of the claims connected with slavery form occupation to the legation at Brazil; and may there not be correspondence between the legation at Brazil and the Foreign Office on the subject of these claims connected with slavery?—I am not saying that there is no occupation for the Brazilian mission; I know well what that occupation is; but I am saying that there is really little or nothing done in reference to watching domestic slavery.

2978. Mr. *Rylands.*] Something else has been said with reference to the amount of attention necessary on the part of our minister in Brazil in connection with British claims for debts due to this country; and I find it stated in a pamphlet just published on the diplomatic service, written, I believe, by a member of the service, that "when diplomatic relations were re-established with Brazil, after having been discontinued during some two years, it was found that the accumulated British claims to be settled by the legation at Rio amounted to about two and a half millions sterling;" seeming to imply that that had arisen in consequence of our not having a representative there; is that so?—That is altogether a fiction. The two and a half millions may be the figure at which the claims brought forward by Brazil, founded on the former slave trade transactions, may be estimated, but as regards British claims I never heard of their exceeding the sum of 300,000 *l.* They did not accumulate during the time of the suspension of diplomatic relations; unfortunately they existed before that suspension; some of them were 40 years old then.

2979. My question of course had reference entirely to the allegation that owing to the absence of our minister at Brazil, these great claims had accumulated; the writer goes on to say that claims of a similar amount are now accumulating in Mexico, in consequence of our not being represented there; can you say whether that is the fact?—I know nothing about Mexico, but I have no doubt that there were a large amount of claims before the suspension of relations.

2980. Then there has been reduction in the character of our mission at Monte Video, and I wish to ask you whether from your experience of South American missions you approve of that course?—I think that the change which has been made is a very ill-advised change. I quite see the justice of the complaint made by Mr. Consul Munro, of the salary which has been assigned to him, which is obviously insufficient. The representation at Monte Video is now reduced to a consul with a salary of 800 *l.*, and an allowance of 150 *l.* for a clerk. At Buenos Ayres there is a consul besides the minister and the minister's staff, who receives a salary and allowance of 1,500 *l.* a year. But I will go further than that; I think that the arrangement which has been made for the minister at Buenos Ayres to take Monte Video under his charge is an objectionable arrangement. Monte Video and Buenos Ayres have always been rivals. In former times Monte Video was favoured by the French, Buenos Ayres by the English; and now all their interests are rival. The same objection applies to an amalgamation of Buenos Ayres and Monte Video, as I have heard stated, to a suggested amalgamation the missions of Denmark and Sweden. T Republic of the Uruguay, as it is called, is an inferior extent to the Argentine Repub But the English population in the Republic Uruguay is a very large one; I suppose the would be a hundred British subjects in Mon Video to one in Venezuela. There is a gre deal of sheep farming going on there unc Englishmen. I think it is very important th Monte Video should have an independent rep sentative, at least of the rank of consul gener I think that the change which has been made certainly an injudicious one. And another p of the arrangement strikes me with great s prise, and that is that our minister at Buen Ayres is accredited as chargé d'affaires; that with an inferior rank to Monte Video. I shou think it an unprecedented thing in the dip matic service that a man who is a minister in c place drops down in another to an inferior ran It cannot be a temptation to him to go to Mon Video, and it cannot be pleasing to the Mon Videan Government that he should come to the with a rank inferior to that which he holds Buenos Ayres.

2981. But I thought you considered that t rank of the officer was formerly too high, a that in reference to the South American missio generally, you would reduce the representati from the rank of envoy extraordinary or minist resident, to that of minister or chargé d'affaire —It has been recommended strongly that whe we have now chargés d'affaires and consuls gener we should make them ministers resident. I ha expressed my opinion that it is not necessary raise the rank in that way; but I should say th it is quite inconsistent with that proposal to rai the rank of chargé d'affaires in Venezuela, Peru, and in Chili to the rank of a minist resident, when at the same time the char d'affaires and consul general at Monte Video reduced to a consul. Venezuela has not o British subject, I suppose, to 100 in Monte Vide and yet the consul general and chargé d'affair at Monte Video is to be replaced by a consu while it is proposed to give Venezuela a mini ter resident.

2982. Mr. *Otway.*] In point of fact, the Sou American Republics which you have named ha not ministers resident, but chargé d'affaires?- Yes.

2983. And at this moment Monte Video h a chargé d'affaires?—With deference, it has not distinct chargé d'affaires; the minister accredit to Buenos Ayres is accredited also as a char d'affaires to Monte Video. I was asked abo that arrangement, and was expressing my opini against it.

2984. Is it not the fact that the very last th you have mentioned of these South American R publics have accredited to them chargés d'affair and consuls general, and that Monte Video h also accredited to it at this moment a char d'affaires and consul general?—There are charg d'affaires accredited to those other places whi have been named, and they are accredited those places exclusively; the difference is th Mr. Stuart, the minister in Buenos Ayres, accredited also as chargé d'affaires to Mon Video, that Monte Video has not a chargé d'a faires to itself to reside at Monte Video.

2985. I did not ask whether Mr. Stuart w accredit

credited anywhere else; I asked whether the Government of Monte Video had accredited to it a chargé d'affaires; I presume that that is the fact?—The others have an integral man; Monte Video has only a fraction of a man.

2986. With reference to accrediting the same chargé d'affaires to rival states, are you aware that the Argentine Republic and other Republics accredit the same minister to France and to England, which I presume may be considered to be in the same position, and in a sense, to rival states?—I am; but I do not think that England is to follow the example of the Argentine Republic. The interests of the Argentine Republic in England are not like the interests arising out of the necessary protection to British subjects in the Argentine Republic; they do it for economy, but they are very poor governments.

2987. The consideration therefore of rivalry, as between two states, would be of no importance; it is a matter of economy?—I think that a vagrant diplomatist, a shifting representation of that sort, is very objectionable; I think that it weakens the character and the force of a minister when he is accredited to several places; of course the importance of an Argentine representative here is not to be compared for one moment to the importance of the English chargé d'affaires at Monte Video; there are a great number of British subjects to be protected, and very important interests to be looked after in Monte Video; but the Argentine minister here cares so little for the interests of his country in England that he chiefly resides in Paris; and Mr. Hammond has stated as one reason why we should send a minister resident, that one of the Spanish Governments has said, "If you do not send a minister instead of a chargé d'affaires, we shall tell our minister to live in Paris only."

2988. Mr. *Rylands.*] Are you seriously of opinion in reference to the replies you made a few days ago, that the position of our representative in the Brazils, I mean his means of usefulness, would not be affected by his living at the top of a mountain 2,000 feet above the level of the sea?—Speaking for myself, I am quite satisfied that my duties were not in any way neglected, and that the British interests did not suffer in the least from my continued residence in Petropolis, which was absolutely necessary for my health; if I had been obliged to live in Rio, I should have been obliged to give up the mission; I mentioned before that the Russian minister used to live all the year round at Petropolis, and since then the United States minister also has lived there all the year round.

2989. Mr. *Otway.*] You wished to put in two despatches, I believe, which I now produce?—Yes; I thought that the whole matter might be most conveniently explained to the Committee by those despatches, as to my residence at Petropolis and my mode of doing business there; it took me four hours to get down and five hours to get back; one left always very early in the morning and got to Rio at 10 o'clock, and whenever it was necessary, I stayed at an hotel in Rio. I also brought with me, if the Committee require any further satisfaction, a picture of the house showing that it is a large house, and also that it is in the immediate vicinity of the Emperor's palace, and that picture is in the hands of the Committee clerk, if any Member wishes to see it.

2990. Viscount *Barrington.*] I think you have said that in the different missions clerks would be as good persons to appoint as attachés?—I think that all that is wanted to be done by attachés would be done much more conveniently and better for the minister, by the private secretaries whom I recommend. I think that one private secretary would do for the minister very much better all that he peculiarly requires from the class of attachés that now are sent to embassies and missions, and that all the copying work, and the routine work, and all work which is independent of the social duties in which a minister requires to be assisted, would be very much better done by a clerk or clerks under the secretary of embassy or legation.

2991. But you stated, did you not, that the secretary of embassy or legation was no use at all unless the chief was absent?—That is so now, but I think that the secretary of embassy or legation should be made an efficient working man, and that arrangements should be made (and would be made if the scheme which I suggest could be carried out) for having younger men as the first secretaries of embassy and legation.

2992. Supposing that there was any great pressure of business, do you suppose that the secretary of embassy or legation would absolutely refuse to help to do the work (I do not allude to his acting as consul, because the secretary would presume that that would not enter into his work)?—I should think that they generally would not; in my own case (and it is mentioned in one of those despatches which have been put in) I wished to know whether I could require work of that sort from my own secretary, Mr. Baillie, and I then stated distinctly, in asking that question, that Mr. Baillie made no difficulty, and I wished it to be understood that I meant no complaint of him. I think that the fact of secretaries doing nothing does not arise from actual refusals of individuals, but from the general feeling of chiefs that gentlemen of their age and position cannot be called upon to do copying work; and it has come to this, as you will see in many of the reports of the ministers and ambassadors, that it is considered that they are not to be counted upon for assistance in that way; indeed, I may mention (it is well known in the Foreign Office), that I remember at the time Mr. Cameron was with me, receiving a circular of Lord Malmesbury's from the Foreign Office, to the effect that secretaries, who then considered generally that they had nothing to do, were to take their fair share of the work; that has not been published, probably by inadvertence; but there is a circular issued by Lord Malmesbury in 1852, requiring secretaries to take their fair share of the work. That has been superseded by the subsequent circulars; but that shows the feeling that then existed in the Foreign Office on the subject.

2993. You quoted the opinion of Sir Henry Elliot and Lord Bloomfield, and Mr. Ffrench, with regard to these clerks; you are aware that Sir Henry Elliot stated, before this Committee, that it would not be safe to trust to the ordinary run of clerks in Russia?—I was not aware of that. I thought that Sir Henry Elliot had recommended an archivist, as he called him, a permanent officer, just as I recommended a permanent officer who would be a clerk.

2994. Lord Bloomfield, although he recommends

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mends that a clerk should be attached to each embassy, says that he does not in any way complain of the attachés he has under him now, and that they are perfectly competent to translate all German documents?—He does say that, but I think you will find in Lord Bloomfield's report that he speaks of objecting to attachés or secretaries being employed as drudges. I think that points to the difference. After all, what is called drudgery is honourable work; but you cannot put young men of family and fortune, who are your secretaries, to the same sort of work that you could put a clerk to, nor can you require, at least many ministers say that you cannot require, or expect them to work with the same regularity. I wish to see a system combining the advantage of the present system of secretaries or attachés with clerks, who would do, more quickly and regularly, inferior work; routine work in the mission. You must remember, that the business at embassies and missions has changed very much within the last 20 years; a great deal of commercial work has been introduced which did not formerly exist. I was talking to Sir Henry Elliot about it the other day, shortly before he came before this Committee, and Sir Henry asked me if I did not agree with him that the business now has immensely increased in every embassy and mission, and, of course, it is so. The same assistance, which was sufficient before, is not sufficient now. You cannot put new wine into old bottles.

2995. Mr. Ffrench, with regard to reducing the amount of his staff, gives an account of the immense deal of work that he had to do on a recent occasion at Madrid; but he adds, that "their attendance from 12 to six o'clock, and often later every day, including Sundays, has never failed"; and that if any of them had been incapacitated, by illness or accident, the work of the mission would have been very materially impeded?—That shows that with a large nominal staff now a minister abroad has not sufficient assistance, and I have endeavoured to suggest what I think would give the minister sufficient assistance with a smaller staff.

2996. Sir *Charles Wentworth Dilke.*] Are there not many missions at which there is already practically a permanent officer almost of the kind that you desire?—Yes, I believe there are. In Buenos Ayres there is a clerk; at least I presume that that gentleman who was spoken of the other day has been replaced. In Rio also there is one, and he was an invaluable aid to me. In Lisbon there is a translator who also acts as a clerk, of the insufficiency of whose salary Sir Charles Murray complains. And when I was in Switzerland I remember that there was one at Stuttgardt.

2997. At all the Eastern courts the dragoman or interpreter accomplish pretty much the same thing, do they not?—I daresay they do, but I was never at Constantinople, and therefore I cannot speak to that.

2998. In Madrid is there not a clerk?—In Madrid there is a young gentleman, the son of the consul at Rio, whom Mr. Ffrench speaks of as a most efficient assistant. Would the Committee allow me to take this opportunity of stating what I really think is fair to myself and to the Buenos Ayres clerk whom I named the other day, namely, that I have had a correspondence with Mr. Otway on the subject since, and that Mr. Otway has written me to say that as regards that Mr. Williams, whose name I mentioned and who he said had been dismissed, the cause of his removal does not involve the slightest imputation on his honour or moral trustworthiness.

2999. Mr. *Arthur Russell.*] Do you think that there is any ground for Mr. Gordon's complaint in the Report, at page 149, as to the salaries of the ministers at Berne and Munich compared with his own?—Mr. Gordon complains that the salary at Stuttgardt has remained stationary, and that the salary at Berne has been raised from 2,000 *l.* to 2,500 *l.*; and I think he compares Stuttgardt also with Munich: I should certainly say, knowing Stuttgardt (I was not there diplomatically, but I have resided there), and knowing Berne well, without giving any opinion on the amount to which the salary at Berne has been raised, that Stuttgardt must be a more expensive place for a minister than Berne, certainly at least as expensive. At Berne there is no court, at Stuttgardt there is; and I should certainly think that Stuttgardt ought to be placed on the same footing as Berne.

3000. There is another passage in the same Report, at page 100; have you observed the statement made there by Sir Charles Murray on the salary of Mr. Duff, the translator to the legation at Lisbon?—Yes, I have just alluded to Mr. Duff and to Sir Charles Murray's complaint. I am in favour of assistance of that sort, as you know, to a mission. In a mission where Portuguese is the language, it is most important to have a paid translator, and a perfectly competent one. You cannot count for good translations upon attachés who are frequently moved, and who never remain more than two years, except under special reasons (that is the rule of the Foreign Office), and I should be for paying a translator, or clerk and translator, highly enough to keep him well, and to insure a good man, and I should try to reduce expenses in other ways. I should say that there is reason for Sir Charles Murray's complaint as to the small salary given to the translator at Lisbon.

3001. You said, I think, that you would maintain the mission in Switzerland; you think it important that we should have a minister there?—I do not know whether it has been mentioned to the Committee that not only does France keep a minister in Switzerland, but France has a representative there of the rank of an ambassador. Of course Switzerland is a very important diplomatic post for France. The representative of France in Switzerland is a representative of the highest rank, namely, an ambassador. I should not recommend that under the circumstances the same rank should be given to our representative there, but I do not think that we should reduce his rank. We are parties to a guarantee of the integrity and independence and inviolability of Switzerland, and our moral influence exerted in Switzerland is of the utmost importance perhaps for the prevention of an European war. The position of Switzerland in the centre of Europe makes it a most important point with regard to European questions, and with regard to the balance of power which we must still think of, I suppose.

3002. Would you suppress the missions at Dresden and Darmstadt?—As regards Dresden, you have heard Lord Derby's opinion, the opinion of

he Secretary of State who, having suppressed mission, revived the representation there by us of a chargé d'affaires. I suppose that it ld not have been done at the time, but I ld have thought that if there was to be a chargé laires at Dresden, the same chargé d'affaires ght have been accredited both to Dresden and Coburg, as the minister formerly was accred to both, and that he might have resided at sden. But Mr. Barnard, the chargé d'affaires oburg, receives a salary which is not much er, if at all, than the pension to which he ld be entitled if he retired, and therefore as g as Mr. Barnard lives no saving could be cted by withdrawing him from Coburg. But egards Dresden and Darmstadt, I would say that I think there is a use in those places as ining places for ministers. I think that you y find very much better training for future nisters in small independent posts of that sort n by the present system of long attachéship long secretaryship in various countries. There y are the heads, and they have business to end to; and I think the keeping up of those ces can be put on larger and better grounds in necessity for our court. Germany is a great t of art and science and literature, and I nk that one of the best objects of our diplotic representation abroad is to provide interional links for the promotion of literary, entific, and artistic interests, and all the high rposes of civilisation; they are not merely for litical objects. I should say that a representae of the rank of a chargé d'affaires at Dresden or rmstadt, or Coburg, might be of great use to s nation, beyond being what has been called a litical watch-dog for the country.

3003. Mr. *Butler-Johnstone.*] In your opinion uld the tendency of having a permanent staff ached to our missions be to throw the whole rk on that permanent staff, and to leave the ner gentlemen attached to the mission in a nply ornamental capacity?—I would have, beles those clerks, only a private secretary for e minister, and a secretary of legation, who ould superintend them at their work; but I ink you would find now that a great deal of e work of the mission is thrown upon the clerk.

3004. Where there is no clerk, at Paris, for stance, that would not apply?—The amount work at Paris is very large, and there it is cessary to have an organisation, but Lord yons says that he derives great assistance from r. Atlee, in the embassy. There is no doubt at if you had a number of young secretaries, d a clerk also, who would be on good terms ith them, there would be a tendency to throw e work on him, but you would get the work tter done, and you would have a man always ere to do it.

3005. And what future prospects would the ivate secretary have?—I think that the private cretary should begin with a salary. He would e the friend of the minister or ambassador, and he were removed the private secretary would with him from one post to another, and in me he might be recommended by his chief to e Secretary of State for a secretary of legation. think that is what they should look to.

3006. Mr. *Arthur Russell.*] Would he have to ass the same examination as members of the gular service?—I think that he might pass he pass examination at the outset, when appointed private secretary. I should not myself think it necessary, because I should think that the ambassador or minister would take care to get a man sufficiently qualified. But I object to examinations at an advanced age. I do not think that it is at all desirable to subject gentlemen of the age of 30 to examination, and I should not consider it necessary. I should consider that the private secretary would fit himself for the duties of a secretary of legation by the training which he has undergone as a private secretary of ambassadors and ministers at important embassies and missions. I hope that I may support my opinion by good authority, and without quoting it, I may say that you will find in Lord Lyons's Report, appended to the Report of the Diplomatic Committee of 1861, an admirable passage, in which he points out the great advantage that a private secretary would have for training, and how he would there fit himself in the best possible way for the performance of higher duties.

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3007. Mr. *Butler-Johnstone.*] You would approve of the private secretary of the minister being also a member of the diplomatic profession?—While the profession exists as it is, and with what they call the block existing, it would certainly be hard upon the third secretaries for anyone else to be taken as a private secretary; but it is crippling the choice of the minister; and I do not think it is right that, according to present regulations, the private secretary of an ambassador or minister should be debarred, as the circulars debar him, from entering the chancery at any time. I think that the private secretary of an ambassador or minister even now, whether a third secretary or not, should have the same privileges and position as the secretary of any chief of an English department has, namely, that he should represent the person of his chief in the office.

3008. Mr. *Cameron.*] As to these private secretaries, as I understand you, you would have secretaries of legation and secretaries of embassy, and the rest of the work would be done by clerks; where would you get your secretaries of embassy or legation from if you had no attachés in the regular service?—The private secretaries would be attachés; I should also like to see junior Foreign Office clerks promoted to be secretaries of legation.

3009. The private secretary would be appointed by the ambassador or minister, according to your plan?—He would be chosen by the ambassador or minister.

3010. Then they would be promoted to be secretaries of legation and secretaries of embassy?—Yes; but not necessarily.

3011. That would throw the whole of the patronage eventually into the hands of the ambassador or minister, would it not?—It would divide the patronage, and it would give one piece of patronage to each ambassador or minister, and they would have the strongest inducement to appoint a fit man; and I think also that it would be desirable to let junior Foreign Office clerks look to these posts, and I think that the Foreign Office would be an excellent training for those posts. And besides that, I would revert to the old system which I think has its merits, of the Secretary of State choosing from time to time a stranger, taking say, one who is not an old man, from Parliament. For instance, I was selected myself

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myself not from any private interest, but Lord Palmerston selected me from the House of Commons to introduce me into the service as a secretary of legation, beginning my diplomatic service in that rank. Admiral Harris was sitting in the House of Commons when he was apppointed consul at Elsinore, and in a few years he became minister at Berne. I think it desirable to revert to the old system of enabling a Secretary of State to choose from outside; sometimes new blood does a great deal of good when introduced into a small service.

3012. You were in Parliament before you served abroad?—Yes.

3013. And your political principles were what are commonly called those of an advanced Liberal?—Yes, and are now.

3014. Therefore you hold principles which would lead you to advocate a reduction of expenditure in administrative departments?—Yes; but I should make a distinction between wise and unwise economy.

3015. From your diplomatic experience, gained in the diplomatic service, are you of opinion that the salaries given to the diplomatic servants, taking them from the highest to the lowest, are at present too high?—No, I think not. I have advocated a reduction in the South American missions, which I believe can be safely made. I think that the South American Governments are not understood in the Foreign Office, not more than Persia, perhaps. But I think that in Europe certainly I do not see my way to any reduction, unless by a reduction of expenses in the staffs by the plan that I have suggested, and by the introduction of fees. I think I should say even, that the ambassador at St. Petersburgh certainly is underpaid, and it strikes me as a very hard thing, as I have seen it stated, that 200*l.* a year should have been taken from Sir Andrew Buchanan's salary to eke out payment for a house. I should say that, in Berlin and Vienna, and also in Constantinople, the salaries of the ambassadors should all be placed on the same footing as at Paris.

3016. You cannot point to any instance where you think that a reduction could be made in the salary or allowances to any member of the diplomatic service in Europe?—There is no doubt whatever that the junior members of the diplomatic service are paid low.

3017. I suppose that they are rather underpaid than otherwise?—They are paid low, and they naturally all grumble at their payment. But on the other hand you must consider this also, that they do not give, in return for the payment which they receive, the same sort of work as you would have from clerks, and that is admitted by all ambassadors and ministers.

3018. But taking into consideration the position of these gentlemen, which the present system renders it necessary that they should hold, you could not safely or fairly reduce the salaries of any of them?—They go into the service knowing the service will not keep them; they go into the service knowing that under the present system (which differs from what it was when I entered the service) no one can begin as attaché unless he can count on 600*l.* a year; they go into the service from motives other than motives of remunerative pay. But the result is not satisfactory I think, because they grumble and think that they ought to be paid higher. I should have only a sufficient number of assistants enable you to pay each one enough to meet l expenses.

3019. With regard to the regulation in t diplomatic service about stationery for the u of the missions, what is the regulation; w supplies the stationery?—The stationery generally supplied by the minister, and I thi that that is an objectionable arrangement in self. It appears that in Paris and Constan nople the ambassador is allowed to charge t stationery to the public, but I think that those a the only two missions where stationery is allowe I should say that it is very desirable that every mission the stationery should be paid b by the public.

3020. Mr. *Otway.*] The minister has allowance for it, has he not?—No; and it certainly fair that if the stationery at Paris a Constantinople is paid for, it should be paid at the other missions also. I think that there no public office in England where all the e *ployés* are not allowed to use public statione Now there is a very good remark made in one the reports from secretaries, Mr. Thurlow, which he complains very much of the gene belief that a diplomatic servant is invested w various privileges, that he gets his postage fr and is allowed stationery and so on, and wishes the public to be disabused of that id I do not know of any service in which there s so few privileges for the junior members as t diplomatic service.

3021. Mr. *Holmes.*] You stated to the Co mittee, at a previous examination, that the Brit minister at the several South American missic has no political duties to perform, but that work really refers to the protection of Briti subjects, and to our commercial interests: a we to understand from that, that it is qu unnecessary, in your opinion, to have both dip matic representatives and consuls in the ch towns of those countries which are ports?—I not think that it is unnecessary to have a dipl matic representative, but the diplomatic rep sentative need not have a higher rank than th of chargé d'affaires. I would combine the dipl matic and consular functions, as they are n at most of them, in a chargé d'affaires and cons general. By saying that the minister has political duties to perform, I meant no dut with reference to great questions of policy.

3022. Our commercial transactions with t different states of South America are very larg I believe, much greater than those of any oth nation, either in Europe or America?—Yes, believe they are.

3023. We have also a large carrying tra with those states, that is to say, a large propo tion of the trade between them and other cou tries is carried on in British vessels?—Yes.

3024. The money value of the exports ar imports between the United Kingdom and th South American States will not fully represen therefore, the extent of the duties discharged b our consuls there?—I have no doubt it will no I am not at all for under-valuing the duties wi reference to commerce which devolve on o representatives in South America.

3025. When you went out to Brazil in 185 you have explained to us that you carried ou certain instructions which placed the consuls i that country under your superintendence; wi y

explain to what extent you exercised super-
ndence and control over the consuls under
r instructions; they were to correspond with
. you have explained, but to what extent did
consider yourself warranted to interfere with
n, independently of the Foreign Office?—I
sidered that the consuls were entirely sub-
inate to me, under my responsibility to the
eign Office. The instructions which I car-
l out were in entire accordance with that
n. I may tell you that though those instruc-
s were then newly framed, and though, as I
the other day, they excited very great sur-
e in the minds of some of the consuls, there
o doubt whatever that the principle of entire
subordination of consuls to the minister had been frequently laid down in the Foreign Office, in despatches written in individual cases. I remember distinctly a despatch of Lord Palmerston's arising out of a difference of opinion between the consul at Buenos Ayres and the minister, in which the principle of the entire subordination of the consul to the minister was most clearly laid down; but though it appeared from time to time in despatches, arising out of particular cases, it was never published in a clear and distinct form; and I can quite understand that the consuls may have been honestly and fairly under the delusion that they were independent of the minister.

Mr. W. D. *Christie.*

16 May 1870.

Thursday, 19*th May* 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Sir Henry Lytton Bulwer.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Frederick Walpole.

The Right Honourable EDWARD PLEYDELL BOUVERIE, in the Chair.

Mr. William Dougal Christie, again called in; and further Examined.

Mr. *Christie.*
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3026. Mr. *Holms.*] I PRESUME that you are aware that Sir Richard Pakenham spoke or wrote most approvingly to the Consular Committee of 1858 of the arrangement by which the consuls of South America were placed under the superintendence of the resident minister?—Yes, I remember reading that in Sir Richard Pakenham's evidence before the Committee on Official Salaries; but that probably refers to some special instructions given to him in Mexico, and I do not know how they were carried out.

3027. The correspondence carried on between the Foreign Office and our missions in South America will relate almost exclusively, I suppose, to commercial questions?—It relates almost exclusively to general questions of commercial interest, and to cases affecting individuals, cases involving the necessity of protection of individuals, merchants most often, against illegal or unjust acts.

3028. Chiefly arising out of their commercial transactions?—The British residents in the capitals of South America are generally persons carrying on commerce.

3029. Do you consider the present mode of selecting our consuls, that is to say, through political influence, a good one for securing men with the special qualifications that would enable them to discharge their duties satisfactorily?—Your question assumes that consuls are now appointed entirely or chiefly through political or private influence, and I am not prepared to contradict you on that point; I think that nothing but improvement could arise from giving more power to ministers in the different countries for recommendation of fit persons to be appointed consuls, and more particularly for the promotion of vice consuls to consulates in the different countries in which ministers are placed.

3030. Would not the danger of having purely commercial questions dealt with by gentlemen trained in politics and diplomacy be greatly increased also by your proposition to abolish the consulates and retain the political missions only?—I am recommending, for economy and for the better and more consistent conduct of business, that in capitals which are ports, the consular establishment should be merged in the diplomatic mission; that is, that the consular work should be done under the superintendence and responsibility of ministers who are highly responsible persons, and who ought to be fit for the posts to which they are assigned.

3031. In most cases those ministers are not acquainted with commercial life; would they be, therefore, as efficient in such posts as men who were accustomed to commercial life, which our consuls usually are?—The greatest part of the work would not be done by the ministers themselves; the work would be done under the superintendence and responsibility of the ministers by trained persons, persons accustomed to the detail of consular business, and capable of managing it; and, again, the ministers, however they may be originally appointed, are persons who have gone through a long training, and if they are not they ought to be fit persons for their posts.

3032. But they rarely are connected directly or have been connected directly with commerce; they are drawn from the diplomatic class and not from the commercial class?—But a large part of the duties of ministers now relates to commerce. There is now in every mission a distinct series of commercial reports. Surely Colonial governors have a great deal to do with commercial questions, but you do not select merchants for Colonial governors. Our commerce with the Colonies is important, as well as our commerce with foreign countries; the governor superintends all the minor officials who deal with the details, of course.

3033. But have you not found, from your experience, that gentlemen trained in politics and diplomacy receive with some considerable indifference any applications made to them on commercial matters, and do not take them to be so much within their duty?—I can speak for myself, and from my own experience, and I feel confident that I was never open to the charge of indifference

rence to any commercial interests which were ought under my notice. I may say that your estion suggests the observation which I am now out to make. For our representatives in South merica, who I have recommended should be iformly of the rank of chargé d'affaires and nsul general, not higher ever, sometimes per- ps of the rank of a consul general instead of chargé d'affaires and consul general. I think at the plan which has been carried out in later ars of sending almost exclusively secretaries of gation to those appointments, is not so good as at which was before adopted. There was a fferent class of men when first I knew South merica. Some of them had been appointed Lord Palmerston, who selected men that ew South America. These were men who d served in the Wars of Independence of South merica, and knew the South American service as then open; and I should say, generally, at for those appointments, persons who had d a consular training, who had filled consulates South America, would be fit persons for pro- otion.

3034. Mr. *Frederick Walpole.*] Would you ame any one of those officers who fought in the War of Independence who succeeded in his di- lomatic services in South America?—I can ame two whom I can remember as having heard Sir Belford Wilson and Mr. O'Leary. Sir elford Wilson was at Venezuela, and Mr. O'Leary was in Colombia. I corresponded with Mr. O'Leary, and the impression which the cor- espondence produced on my mind was certainly at he was an able man.

3035. Mr. *Holms.*] But the political duties of ur representatives in those countries being so ominal as, in my opinion, you have established ey are, would there not be less difficulty in aving those duties performed by a commercial epresentative, than there would be in having e more important commercial work performed y a diplomatic representative?—I am much bliged to you for saying that I have esta- lished what I stated. I said that there are no reat questions of policy arising in the South American missions with reference to which ou would desire to influence your diplomatic olleagues, as well as the Government itself; ut I am not prepared to say that there are o political questions to be dealt with. There re political questions relating to South America, political questions between the En- lish Government and the particular South American government; and with reference to he protection of British subjects, and securing stice for individuals, it is necessary that the epresentative should not only be a person ac- uainted with commerce, but that he should be like- ise acquainted with questions of international aw. You want not a mere merchant, of course do not speak disrespectfully of merchants, but ou want a man of general education and attain- nents, and a man of general ability. You may ind such men among merchants certainly, but hose men are to be found elsewhere also. You want also persons well acquainted with the lan- guage.

3036. In the answer that you gave to Question 2690, you speak of the consular establishment as being suppressed, and "merged in the mission;" do not you think that if we had in those parts a man thoroughly well acquainted with commerce, and at the same time understanding perfectly well any political duties of the character that they have to perform, he would do the work of the country far better, because really the main work he has to do relates to commerce, and the cases are so few (you say yourself that there are almost none) in which they relate to diplomacy?—Certainly, if you had a person well acquainted with commerce, and also an able and well instructed man in other respects, he would be a fit man for such posts.

3037. Have you found in your own experience any difficulty in getting such men, good commercial men, who really could manage any of those difficult questions?—It has never fallen to me to look out for persons to appoint to those posts.

3038. Mr. *Eastwick.*] With reference to the abolition of the consulships, or their being merged in the political department in South America, that refers only to head-quarters, I suppose; because there are a great number of consulships, indeed a majority of them, so distant from head-quarters that they must necessarily be filled, I suppose you would admit, by consular officers?—I have spoken only of capitals. Of course with reference to distant posts, there must be a distinct office at them; but that consular office would be under the superintendence and supervision of the minister; and I need not tell you that of late years, in all countries, the means of communication between out-ports and the capital has increased by railways and telegraphic wires.

3039. With reference to the plan which you have mentioned of having a clerk to assist the chargé d'affaires, or consul general, or whatever he may be called at the seat of Government, do you see any objection to having a junior diplomatic officer as private secretary to that chief instead of a clerk?—I do not think that there would be any material difference between a clerk and a private secretary; and one whom the chargé d'affaires would select, would be a person whom he knew well, and whom he would trust, and whom he could thoroughly rely on, and who would be his friend as well as his secretary.

3040. And in case of the absence of the chief that junior officer, as private secretary, might, I suppose, take charge of the office until his chief returned?—If he were a fit man.

3041. That would obviate the necessity of the consul's coming up from very distant parts, as for instance from Maracaibo to take charge of the chief office at Caracas; there being a junior diplomatic officer as private secretary at Caracas, it would obviate the necessity of that long journey?—When you speak of a junior diplomatic officer, you speak, of course, with reference to the existing system. I have in my mind the system I have recommended, and if a private secretary were appointed, I think he would be to all intents a junior diplomatic officer. If he were a fit man he would be a very proper person to replace his chief when away; but then with regard to bringing consuls from out-ports to take temporary charge of the mission, there is an advantage in that system. A consul can, more or less, easily find a person to replace him while he is away from the inferior consulate; and the consul is a known man, and might be a fitter man to undertake the temporary charge of the mission, and it might also be an opening for him to make himself known to the Foreign Office and the Secretary of State.

3042. Still there would be, I suppose, the dis-

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advantage in the first place of expense, in the second place of delay, and in the third place of ignorance of the immediate interests going on?—Sometimes there may be inconvenience in the bringing away of consuls; sometimes you may not be able to get a consul to come.

3043. Now, I wish to turn to another subject. We have been told in answer to Question 590, that the Foreign Office, as a general rule, "abide by a dictum of Lord Palmerston's, that the Government is not bound to extricate bondholders in this country from the difficulties in which they are involved." I wish to ask you, in reference to that answer, whether your experience can suggest any instances of interference on the part of our diplomatic or consular officers to obtain a settlement of the claims of bondholders?—I was no sooner appointed chargé d'affaires and consul-general at Buenos Ayres, but I was applied to by the Buenos Ayres bondholders to assist them, as a predecessor had assisted them, to get a debt, and great arrears of interest paid. I did so; and I did so under instructions from the Foreign Office; I corresponded on the subject with the Foreign Office, and I was fortunate enough to aid in bringing the affair to a satisfactory conclusion, and to enable the bondholders to get better terms than they had expected. It was a very old debt, amounting to about 2,000,000 *l.* altogether, and the Buenos Ayres bondholders were so pleased with what I had done that they presented me with plate to the value of 500 *l.*, which I received with the permission of the Foreign Office.

3044. Are there any other cases besides your own in which diplomatic officers or consular officers have successfully interfered for the settlement of such claims?—I do not remember at present any other case, but I should think it most likely that in other South American countries ministers have assisted bondholders to get payment; I do remember now that during the time that I was in Buenos Ayres there was a matter going on in Monte Video, the details of which I forget, but our chargé d'affaires there, Mr. Thornton, was very much occupied with the settlement of a debt question, and he succeeded also.

3045. Do you think that if there was no interference on the part of our diplomatic officers the South American governments would conscientiously discharge their obligations?—Well I am afraid that the general rule has been that they are not conscientious in the discharge of their obligations, and therefore it has been necessary to call in the aid of our representatives to assist bondholders to get what was right. It stands to reason that if a British representative is to endeavour to get justice in a foreign country for one, the case becomes very much more important when a large number of British subjects are interested.

3046. Are you at all aware whether the representatives of other European powers, too, support the claims of bondholders and take up their cases?—I think that Englishmen have been the great lenders; a large number of these loans were contracted soon after the States became independent, and then the loans were obtained exclusively in England, and it has been much more an English question than a question interesting any other government. But in the case of Monte Video, to which I have referred, and the details of which I do not remember, I forget how the debt arose, but it was a government debt; there the French were also interested, and I know that Mr. Thornton being our chargé d'affaires acted with a French commissioner who was specially sent out for the purpose, a member of the French diplomatic service, who afterwards became minister in Mexico.

3047. Have you ever received any instructions, or any circular, calling upon you to abstain, as a general rule, from such interference for bondholders?—Certainly not; the only circular on the subject which I know was the circular to which I was about to allude, and that was in a contrary sense. That circular tells every government that the English Government have never given up, and that they claim their right of interfering in these questions, and that it is only a question of convenience and discretion whether in a particular case they interfere officially, and with force, or not. That is published in Dr. Phillimore's book on International Law, at the beginning of the second volume.

3048. Are you at all aware whether consuls in South America have been allowed by the Foreign Office to assist in arrangements made by British capitalists for lending money to the South American governments, and do you know any cases in which they have received a per-centage for collecting payments from those governments for the dividends of the bondholders?—I know this, that very soon after I was appointed at Buenos Ayres, I received a letter from a gentleman of high position connected with the Buenos Ayres bondholders, and largely interested in Buenos Ayres (it was not Mr. Baring), requesting me to undertake their work there, and offering me a per-centage which he told me had before been offered, and allowed by the Foreign Office to be accepted by a predecessor of mine, at Buenos Ayres. My reply to him was that what he said surprised me, and that it seemed to me that the acting in that way was quite inconsistent with the duty and position of a minister; and I thought it right to send the letter with my answer to Lord Wodehouse, who was then Under Secretary. And I have heard of other cases, and I know that it has been the practice with chargés d'affaires and consuls in South America to receive per-centages, or to receive remuneration.

3049. Mr. *Rylands.*] Do you say that that had been done before with the consent and concurrence of the Foreign Office?—The statement made to me in this letter to which I refer was that a predecessor of mine had acted in this way with the consent of the Foreign Office; but I say that I sent the letter, and my reply to it, to Lord Wodehouse, who was then Under Secretary. I am quite certain that if my predecessor acted in that way, he acted so believing that he was acting rightly.

3050. Mr. *Richard Shaw.*] May I ask what answer you received from Lord Wodehouse?—My impression is that I did not receive any answer; he may have spoken to me on the subject, but I was in frequent communication with Lord Wodehouse at that time; I do not think that my letter required an answer.

3051. Did he ever express any opinion to you on the subject?—I do not remember that he did, but I think I could be pretty sure what Lord Wodehouse's opinion would be. He knew that I had declined to undertake this commission.

3052. Mr. *Otway.*]

3052. Mr. *Otway.*] Did your letter ask for any opinion at all?—No, it did not. I had declined, and I sent the correspondence to Lord Wodehouse for his information, and for my protection, if necessary.

3053. Mr. *Eastwick.*] I wish now to turn to another subject; I wish to ask, whether while you were at Rio or at Buenos Ayres there were many marriages celebrated at the consulates or missions, either between English subjects and other English subjects, or mixed marriages between English subjects and natives of the country?—There were not many either in Buenos Ayres or in Rio. It so happened that in the River Plate I was accredited to the Argentine Confederation, which was then distinct from Buenos Ayres, and their capital was a place called Paraná. At Paraná there were one or two marriages celebrated in the mission; and in Rio, I think, there were two or three while I was there; but I may tell you, as regards Buenos Ayres, that there there is a special Argentine law, making marriages celebrated according to the English law and English rites in the English chapel at Buenos Ayres valid marriages in that country; and therefore in Buenos Ayres there is no necessity for persons going to the mission or to the consulate.

3054. But if there was not that special law, there would, of course, be an absolute necessity for going to the consulate or mission to ensure validity; there would be a necessity for going to the consulate or mission, if marriages were not made valid as they are by a special Buenos Ayres law when celebrated in the English chapel.

3055. Are mixed marriages performed in the consulates and missions recognised by the South American governments as valid?—No; at least there is this special provision for marriages between British subjects performed according to the English rites and law, in the chapel in Buenos Ayres; in Rio there is no such provision. But marriage, for instance, between an Englishman and a Roman Catholic lady, celebrated at a mission or consulate, would not, under any circumstances, be held valid in a Roman Catholic country unless the requirements of the Roman Catholic religion were fulfilled.

3056. Do you know any cases of marriages being so celebrated in which the requirements were not fulfilled?—No.

3057. But in case of such instances, I suppose the succession to property and inheritance on the part of the wife would be lost?—The inheritance would be lost if the marriage were not a valid marriage according to the laws of the country.

3058. Did you receive at Rio or at Buenos Ayres from the Foreign Office any recent instructions or circular with reference to marriages?—No, I do not think I did. I remember a circular with reference to marriages performed in foreign countries according to the *lex loci*, and I think I was in the service when that circular was sent out, a circular informing us that any such marriage performed in a foreign country according to the *lex loci* would not be held valid in England if it were a marriage contrary to the provisions of the English law.

3059. Are any precautions taken at the missions to prevent irregular marriages?—The state of the case with reference to marriages performed at missions, I think I may briefly tell you, is this. It is necessary that the marriage should be celebrated by a clergyman of the Church of England in the house or chapel (if there is a chapel, as at Paris, attached to the embassy) of the ambassador or minister. I found, when I went to Switzerland in 1850 (I think you have got before you Mr. Hammond's evidence before the Marriage Law Commission, and I have read it), a practice existing, and forms furnished to the mission, I believe, from the Foreign Office, requiring from any two persons wishing to be married, before they were married, that they should make a declaration on oath that either they were both of age, or, if not of age, that there was the consent of parents, and that there was no impediment from consanguinity or affinity, or any other legal impediment to their marriage. The forms of that declaration were furnished, I believe, from the Foreign Office; indeed, I know they were. I found none in Brazil, and I had occasion to write to the Foreign Office for these forms, and they were sent out to me immediately. This declaration on oath was required; but there was no time of delay prescribed; and as Mr. Hammond has stated in that evidence, two persons might come and ask to be married, and it was a matter resting with the discretion of the minister or ambassador how soon or how long after their first appearance they were married; they might have been married within an hour after their first appearance, if the minister chose. One or two cases arose in Switzerland when I was there as chargé d'affaires, and I felt a difficulty about them. I remember one case occurring, where I thought it very desirable to make as much delay as I could, and I did so, and I then wrote to the Foreign Office, submitting to them certain points on which I thought it was very desirable that we should have more precise information. My despatch was referred to the law advisers, and the answer was sent to the mission at Berne just after I left (it was sent about the end of 1854), and the point of it was, that it was the duty of a minister to exercise considerable discretion, and to make inquiries on certain points, and to warn parties coming before him, on certain points, before he consented to the celebration of the marriage at the mission. One of those points was the question arising out of the requirements of the Swiss law for a valid Swiss marriage, and I was told, or my successor was told, that it was the duty of the minister to warn parties who came to be married, an English man with a Swiss woman, or an English woman with a Swiss man, as to the requirements of the Swiss law, and as to the inconveniences which might arise from those requirements not being fulfilled by the Swiss party to the marriage.

3060. I just want to ask whether there is any printed form of warning to be given to parties in such cases?—No; and I think that there is a defect here; I think that the Foreign Office administration has been imperfect here; I think it is a defect that there has been no proper form of instructions from the Foreign Office supplied to ministers as to their duty with regard to these marriages; I think there was no information on the subject supplied to missions until the year 1867, that is to say, until then there was no instruction whatever to ministers. And I may state with reference to that instruction of 1867, that it refers to the very point which I had raised in the year 1854, and with reference to which the law advisers had given a very distinct opinion; and I was surprised to find

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3061. You refer to the circular of February the 28th 1867?—Yes.

3062. Then I would ask you whether you think it desirable that the notice which is required in the consulates as to marriages, that is to say, seven and 21 days should be extended also to the missions?—I do not mention any precise time, but I think that there should be some period of delay within which inquiries might be made, and some publicity given to the intention of two parties to be married at the mission. A case arose, I remember, in Berne, which gave great trouble to Sir Andrew Buchanan, of an Englishman being married under a false name; married, according to the practice, a very short time after he first presented himself. When it was found that he had been married under a false name, great alarm was felt by the Swiss family, a daughter of which had married this gentleman; but the matter was referred to the law officers, and the marriage was held to be valid.

3063. Do you think that attention might usefully be called to this subject in the examination of the junior diplomatic servants?—I think it is most important; I heard the question put the other day by a Member of this Committee to Mr. Walrond; I think it most important that not only the examination for attachés, but that the examination for Foreign Office clerks also should include the subject of what is called private international law.

3064. Mr. *Otway.*] Are you aware of the circumstances under which persons of age may marry in this country; I mean by license?—Yes.

3065. Do you propose to impose greater restrictions on British subjects in Paris or other places where embassies or legations exist than are imposed here?—I do not know if there would be the same facilites for adopting the license plan at missions, but I think in foreign capitals a minister would be likely to be imposed upon; a minister does not, of course, know all the persons coming to a capital wishing to be married; I do not remember the details of practice here, but I presume that license is not given without knowledge of the parties, and without some requirements that would test the propriety of it. I am quite satisfied of this, that it would be very desirable in every way that there should be a time of delay; and the Legislature and the Foreign Office have recognised that in the delay which they interpose in the case of persons wishing to be married at consulates.

3066. Do you propose that such a period of delay should be imperative?—Certainly, as it is in consulates.

3067. Take the case of persons, one of whom is approaching death, and who wish under those circumstances to be married; supposing the case of persons coming from India, and, under the circumstances which I have supposed, staying at Cairo, it may be very desirable that the marriage ceremony should be performed immediately, may it not?—One cannot provide for all possible cases; often legislation is but a choice of evils; but I am recommending only what has been adopted as to marriages performed at consulates; I am recommending that there should be some delay, and the minister knowing his duty, being instructed by the Foreign Office as to what his duty is, knowing what discretion he can exercise, would, I should think, in most cases interpose some delay; I have said that in a case which arose at Berne, where I had particular reasons to think that it was very desirable to interpose delay, I did do so, but I felt some uneasiness about it, and that led me to write to the Foreign Office to ask how far I was right in exercising discretion; the matter was referred to the law officers, and they stated that I was right in exercising discretion; I think that that opinion should have been turned into a circular.

3068. Do I rightly understand you to say that the delay should be prescribed in order that the ambassador might make inquiries?—That would be the object. In the case I have alluded to, it struck me that if I had a discretionary power, it was most important for me to try and make some delay in order that the friends of the lady might get some information as to what was going on. I exercised that discretion, and took on myself the responsibility, and I feel now that I did right.

3069. But does not that very circumstance to which you allude show that it should be left in the discretion of the minister, or any person acting for him, rather than that there should be any imperative delay?—In that case there were no instructions, and I did not know whether I was justified in exercising the discretion which I did.

3070. There is nothing to prevent a minister, is there, from stopping a marriage in his discretion, where he thinks that circumstances might render it desirable; but if you made the delay imperative, on the other hand, and required a certain time to elapse before any case of marriage, you might subject parties to great inconvenience?—I think that a week's delay (it is 21 days at consulates I believe) would not be a serious impediment.

3071. You would make the law of marriage for British subjects abroad different from the law of marriage here?—If it is so (which I am not prepared to say), the difference already exists; you have made a law for marriages performed at consulates, which is different from the English law as you state it.

3072. Mr. *Rylands.*] Leaving out of question the delay, does the circular of February 1867 cure the defect previously felt in regard to instructions on this subject?—That instruction of 1867 applies only to the point that a marriage between, say, an Englishman and a Swiss lady, or an English lady and a Swiss man, would not be valid in Switzerland unless the Swiss law were complied with. That is the only point to which the instruction of 1867 goes. The despatch which was sent to Berne in answer to my application to the Foreign Office for instruction on some points, went beyond that.

3073. Then, in your judgment, the Foreign Ministers have not sufficient instructions from the Foreign Office to enable them to act in relation to marriages at missions?—I thought, decidedly, in 1854 that they had not, and I think so still.

3074. And the deficiency that you thought existed in 1854 in the instructions, you do not think is cured by the instructions sent out in February 1867?—Not entirely; with regard to the question which Mr. Otway has put to me, I wish to read a statement of Mr. Hammond's (made

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…e before the Marriage Laws Commission), … which I agree, and in which he supports … I have been saying: "With respect to …iage in Paris," he means in other capitals … "I think it would be a very fair condition …one of the parties should reside in the locality …e same way as in England, a certain number …ys before the marriage takes place, for there …thing, as far as I know, to prevent any two …le starting from London by the mail to-…t, making their declaration to-morrow, and …g married the next morning at the embassy …el; this of course gives very great facility …landestine marriages."

…075. Mr. *William Cartwright.*] You have …tioned the case of a marriage in which a false …aration was made, but which proved to be …l?—No, the man did not make a false de…ation; he was married under a false name; … that point has been decided over and over …n, that if a person is known, he cannot …fit by the fraud of a false name, and the …iage is valid.

…076. Mr. *Otway.*] You have just read an …act from an answer made by Mr. Hammond; …t that extract distinctly an opinion as to the …nilation of the conditions of marriage be…en British subjects abroad and those that … at home?—Not if you are right in saying … a person can obtain a license at home with…any term of residence or any delay.

…077. Did I say so?—I understood you to say …

…078. You misunderstood me?—If so, then … make no objection to the proposal which I …e made, that at missions delay should be in…osed.

…079. Mr. *Kinnaird.*] We have heard of the … of audience conceded by foreign sovereigns …n ambassador, but not to a minister of infe… rank; do you attach any importance to that? …ertainly; it is impossible not to attach im…ance to that right; as long as it is con…d to the ambassador, it is of course very …ortant.

…080. You would keep up the ambassadors …n at St. Petersburgh and Constantinople, and …uld give them additional salaries?—I would …tainly keep up ambassadors as long as foreign …opean sovereigns give a right of audience to …ambassador and will not give it to an inferior …ister; but then you might, by negotiation …h foreign governments, obtain an agreement … the purpose of extending that right to …isters of inferior rank. We were for some …e without an ambassador at St. Petersburgh … Vienna, and that was in consequence of …ssia having discontinued an ambassador.

…081. There would be nothing discourteous to … foreign courts if we were to negotiate that …isters should have that right of audience?—I …not see that there would be anything dis…pectful in an application to the Emperor of …ance or to the Emperor of Russia to come into …cert with us as to the rank of our represen…ives.

…082. Your impression is that it would be …nted?—That, of course, I cannot say; when …vent out as minister to the Argentine Republic, …was in consequence of an arrangement between … English Government and the French govern…nt as to the rank that our representatives there …uld hold.

3083. You have dwelt at some length on the private secretaries that you have recommended being a better aid for ambassadors or ministers than the attachés or secretaries now provided?—I think that the private secretary would be a better aid, for all social purposes, and one private secretary would do all that the minister could want for those purposes.

3084. Would that scheme bear on the block, or in any way cure the block, that we have heard of in the service, which is a block of second and third secretaries waiting for promotion?—Of course, if that scheme were adopted, it would diminish very much the number of aspirants for promotion, and I agree with Sir Henry Elliot who has said that the only way of getting rid of this block is to diminish the number of persons looking for promotion.

3085. How would you propose to provide for junior secretaries in carrying out the scheme of private secretaries?—First of all, there are some 30 embassies and missions, and one of the junior secretaries would probably be taken by each ambassador or minister for his private secretary, and many junior secretaries would then get better posts; then, I have recommended that some clerks of the same grade and education as the Foreign Office clerks should be sent to European embassies; that would provide for some; I think that some of them should be put into the Foreign Office as vacancies arise.

3086. Would you rely on the consular service for drafting junior secretaries into it?—No, I think that the consular service is capable of very great reduction; as Lord Malmesbury told you it requires revision, and Lord Derby says that it wants organisation. You may reduce a great deal in the consular service, and I should not look to that in the way that you suggest.

3087. Mr. Hammond told us that there is a difficulty on account of the different pension systems obtaining in the two departments, in moving men from the Foreign Office to the diplomatic service; is that so?—No, it is not so, and it is not so in consequence of the Act passed last year; there is a special provision in that Act which facilitates transfer from the Foreign Office; there is a special provision enabling the Treasury to deal with those cases, and to provide a proper superannuation allowance.

3088. I did not quite understand what you said on the last day as to pensions for ministers at first and second missions, and for chargé d'affaires; will you be kind enough to state that again?—What I said was, that I thought that the pensions for first and second-class missions should be equalised; with one single exception, and that is the minister at Buenos Ayres, who is only a minister plenipotentiary, all the holders of second-class missions have the title of envoy extraordinary and minister plenipotentiary; and the former Pension Act assigned simply the pension of 1,300*l.* a year for every envoy extraordinary and minister plenipotentiary who having been 15 years in the service had served five years in that rank, and I think that they should be equalised; and I do not see why a chargé d'affaires who, according to the rules of diplomatic rank settled by the Congress of Vienna, holds an inferior rank to envoys extraordinary and ministers plenipotentiary, should be placed on the same scale for a pension with envoys extraordinary and ministers plenipotentiary of the second class.

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3089. Can you tell me as to the conditions of the diplomatic pensions, how the condition of 10 years' service is estimated; is it 10 years of actual service abroad, or is it 10 years of holding an appointment, whether on leave or not?—I believe I may say, indeed I know, that the 10 years are not 10 years of actual service abroad; but 10 years of service holding an appointment, whether on leave or not, are sufficient to satisfy that condition.

3090. I think that you were agent and consul general during a part of your 15 years of service?—Yes, for about three years in Mosquito, in Central America.

3091. And was not Sir Charles Wyke in the same position; was not he also agent and consul general and chargé d'affaires during a portion of his career?—He was chargé d'affaires and consul general for a portion of his time; but he was also only consul general for a portion, and his case is not on all fours with mine; but a pension having been given to him for 15 years' service, part of which was a consul general, he has been recalled into active service, and at this time, if there was any doubt as to the legality of the pension given to him, it now makes no difference to him, because he has served, or may serve, long enough as minister to be entitled to the pension.

3092. You spoke of a correspondence when you were in Brazil about the blacks, former slaves, liberated or promised to be liberated by the Brazilian Government; would that be a part of the correspondence spoken of by Mr. Hammond as occupying the Brazilian mission so much, and now still occupying it, in connection with slavery?—There was a great deal of correspondence on that subject in my time; but that correspondence, I may say, has entirely ceased. If there were any correspondence on that subject it would come within the Slave Trade Series, and I may say that in consequence of what passed the other day I have referred to the Slave Trade Blue Books, and I can give some accurate and minute statements as to the quantity of correspondence now with regard to slavery from the Brazil mission. First of all, I would say that in the year 1860, during which I was minister, I find that I wrote home 164 despatches on general subjects, which would include all the correspondence about claims, and 23 despatches under the Slave Trade Series. I have here the number of despatches of the Slave Trade Series for three years since the renewal of relations. In the year 1866 Mr. Thornton sent home 10 despatches of the Slave Trade Series; in 1867 he wrote home seven; and in 1868 Mr. Mathew wrote home one.

3093. There is a special department in the Foreign Office for slavery, is there not?—For the slave trade.

3094. Is that still in force?—There is still a Slave Trade department.

3095. What has been the rank of our representative in Paraguay?—In Paraguay, when I was there, there was a consul; and President Lopez, the father of the Lopez who has just died, was very anxious that we should send him a chargé d'affaires. It was a mere matter of vanity on his part, but he was very anxious that we should send him a chargé d'affaires, and he would do nothing unless we sent him a chargé d'affaires. However, there were very few British subjects there, and it certainly was not desirable to appoint a chargé d'affaires. Later, the minister of Buenos Ayres (thi think, was in the year 1865) was also accred to Paraguay with the rank of minister, same rank which he held at Buenos Ay not as he has lately been accredited to M Video with the lower rank of chargé d' affai But he never went up there, and it was one the complaints of the last Lopez that he was properly treated, because the minister ne went up to present his credentials.

3096. During the recent disturbances were ever consulted?—No, I stated the other day I was never consulted about Paraguay. W you, I presume, refer to is, the imprisonments, murders and tortures of British subjects wh took place lately, and on which very little been said in this country; but, I look on th imprisonments and tortures and murders British subjects as quite derogatory to our c racter as a nation, and destructive of our pres in those parts.

3097. How do you account for the fact that notice was taken by the Foreign Office of th murders?—I do not say that no notice whate was taken by the Foreign Office of those murde but the public generally do not interest the selves very much in South American countri Members of the House of Commons have not terested themselves in them, and it would extremely desirable that there should be m interest taken in those countries. And, certain speaking with feeling upon this subject, for, I clare that I shudder when I think of what been done to humble British subjects in Pa guay, of which no notice has been taken blush for my country almost when I think of I think that our relations with Paraguay (I sp deliberately) would be found, if investigated a Committee of the House of Commons, to b proof of bad management on the part of Foreign Office.

3098. Is there any specific recommendat that you would make for improvement of management of our business in the South Ar rican States?—I think that the great thing t is wanted in the management of our business the South American States is more continu attention, on fixed principles, by the Fore Office to South American countries, and to c interests there. I am able to revert with v great satisfaction to the time when I was mi ter in the River Plate during three years. Dur that time the senior clerk of that department the Foreign Office, who is a man of very gr ability, paid great attention to the River Pl subjects, under Lord Wodehouse, the Un Secretary, who gave as much attention to Bue Ayres affairs as to European affairs. L Wodehouse was a very remarkable man, a Lord Clarendon, assisted by Lord Wodeho and Mr. Spring Rice, gave minute attenti also to those subjects. But I have known tim when the department has not given by a means the same attention to South Americ subjects; and in an office like the Foreign Offi of course a great deal must depend on t way in which the clerk of department and t Under Secretary manage the business. There a in these countries a great number, more or less, old subjects of claims, claims which excite continu irritation, which may, for a considerable tim have been neglected, and the neglect of whi causes other claims to arise. When I was in t River Plate I was aided by the minute attenti giv

by Mr. Spring Rice, Lord Wodehouse, and Clarendon, to settle the claims of British ts, some of them very old claims, to amount of 200,000 *l.* When I went to I found claims there of 300,000 *l.*, many em 30 or 40 years old. I was not able to ed in getting a settlement of them. I say impossible that claims of that sort should accumulating and arrive at that age with- nismanagement on the part of the Foreign e; and I would recommend, certainly before ing into any question of raising the rank r representatives in South American mis- that a Committee of the House of nons should inquire into, and have before all the pending questions with regard to s, and that some decided steps should be to get a proper settlement of them before ng any alteration in the nature of our diplo- relations in those countries.

99. There is an increasing number of British cts settling in those countries, is there not? ere is a great emigration to the River Plate. a fine healthy climate, and I was mentioning ther day that there are a number of young of family who go out to Monte Video for farming, and also to some of the provinces e Argentine Republic.

00. The trade is increasing also, is it not?—

01. Would you have a limit of age or of when a minister should retire; have you view upon that point?—I should say that if have a very good and experienced minister mbassador in an important place, probably n certain limits and certain conditions, he d improve with age and experience. I ld say that it was most desirable that you ld in important embassies and missions profit ie wisdom which experience has given.

02. Then you would not fix any period at h the minister should retire?—I should not ny limit certainly.

03. Mr. *Richard Shaw.*] When you spoke ther day of a consul in the Brazils who was ected with a railway speculation, did you tion that as a personal charge against the ul, or as a case illustrating negligence in the ign Office?—I did not mention it in any as a personal charge against the consul. I mber that I was checked at the time, and I d a remark made about "a grievance." I not mention it in any way as a grievance ny own; but I mention that case as a case ting the Foreign Office, and the Foreign e alone. The consul, not acting according to the minister required of him, was enabled he action of a subordinate member of the ign Office to continue his connection, a very esirable connection, with railway speculations, spite of an order previously sent by Lord sell, and I mention that as a public grievance; I did not represent the whole extent of the vance, but I desire to do so, for it illustrates stem of bad management. The full extent ie grievance is, that the consul obtained from Brazilian government a concession for his way enterprise, and came home here on leave bsence, and sold it in the Stock Exchange for 00 *l.* in money and shares. Now it is con- y to all rules and principles of administration llow any consul or minister to receive favours hat sort from the government to which he is redited; and having exhausted all means of 51.

getting the Foreign Office to attend to that, I mention it now as a matter of public duty to this Committee.

3104. Mr. *Otway.*] These are facts within your knowledge?—Yes; and I take for granted that this consul could not have acquired this pecuniary favour without the knowledge of the Foreign Office. However, it has been made known by me to individuals in the Foreign Office, giving them permission to mention it.

3105. Is the consul alive?—He is alive, and is the consul at Bahia at this moment; and, as you will have an opportunity of ascertaining if you make inquiry, the consequences are injurious to our consulate and to the interests of British subjects at Bahia.

3106. Mr. *William Cartwright.*] Is that a singular case, or are there similar cases?—I have heard of another case in Brazil, but I do not know the circumstances, and, therefore, will not mention it. But I know of other cases in South America where consuls are allowed, I presume, by the Foreign Office to act in that way. I know one case where the consul is also the managing director of a local railway.

3107. Is there not some regulation in the service against that?—I presume that this has been done by official permission. I wish to be quite frank with the Committee, and I wish to state that this is a matter which has weighed upon my mind very much. I have exhausted all the proper means available to me for letting the Foreign Office know what I think wrong. I have endeavoured several times to get Members of Parliament to obtain a Return from the Foreign Office as to the private employments of consuls, and they have always been told (they are gentlemen of high character, but I am not going to name any of them) that the Return could not be granted. In the end the Return was moved for by the honourable Member who was just now questioning me. It was not I who suggested it to him, but such a Return was moved for by him after the motion of Mr. Rylands last year. It had been previously refused by the honourable Under Secretary to another Member, to whom I suggested asking for it; however, it was granted to Mr. Shaw, and the Return (a copy of which I have here) gives no information as to these other appointments, and says, that "there is no information in the Foreign Office" about them, and I say that there must or ought to be such information.

3108. Mr. *Otway.*] If I understand you rightly, that is a false Return, you say?—I say that it is a Return which does not give the information asked for; and that that information, which it says is not in the Foreign Office, must or ought to be in the Foreign Office.

3109. Do I rightly understand you that the Foreign Office are in possession of information which they could give, and which they have not given in that Return, and which is ordered by that Return?—Yes; I have a copy of the Return (*handing it to the Chairman*).

3110. *Chairman.*] Are we to understand you to impute bad faith to the Foreign Office?—No, I am not imputing bad faith; it is not for me to impute motives; this is a very serious matter, and I must not be misunderstood; what I have referred to is, that it is said in a foot-note through every page of that return, "There is no information in the Foreign Office which would enable the department to answer this part of the Return."

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The column is headed "Other appointments not belonging to the public service;" and there is a foot-note throughout to the effect that there is no information in the Foreign Office which would enable the department to answer that part of the Return. Now, as regards "other appointments not belonging to the public service," I wish to state that this consul at Bahia, of whom I have spoken, was, and is now, according to my information, manager for this railway in Bahia.

3111. That is not a public appointment?—That is an appointment "not belonging to the public service;" again the consul at Buenos Ayres is a managing director of a railway; that is an appointment "not belonging to the public service." Now I cannot conceive but that information with regard to those "appointments not belonging to the public service" must be in the Foreign Office. It ought to be there. But then with reference to the first part of the Return, "Return of all consular officers restricted from trading who hold other appointments," there are a great number who hold other appointments not mentioned in the Return. First of all, they hold appointments as Lloyd's agents; that was considered by the Consular Committee, and approved of; a great number again hold appointments as Post Office agents, and that is not given.

3112. Is there any column for "other appointments" simpliciter?—No, but there ought to be; there are also appointments held under mail steam packet companies; I object to appointments of that sort, and all these appointments ought to have been mentioned in this Return.

3113. As I understand it the Return is framed rather skilfully to elicit certain information with respect to consular officers, and that information has not been elicited by that Return?—Yes, that is what I say. I impute no motive particularly; as regards Mr. Hammond, I wish to say at once that Mr. Hammond is a gentleman incapable of trickery, a gentleman of honour; I have the greatest possible respect for him personally; I do not believe that there is a more honourable man on the face of the earth; he may be mistaken in some matters and prejudiced, but I am quite sure that Mr. Hammond is an honourable man, incapable of treachery or simulation. But I felt very strongly about this business at Bahia, and the great injury to the public service arising from that consul having been allowed to accept a pecuniary favour from the Brazilian government to the extent of 30,000 *l.* or 40,000 *l.*, and I regard this Return as not giving information which was asked for and which the Foreign Office could have given.

3114. Mr. *Cameron.*] He is not a trading consul, I suppose?—No, he is restricted from trade; he was always at this speculation; the Brazilian government complained of it. In fact, I moved in the matter and represented it to Lord Russell, in consequence of complaints from the Brazilian government; after the suspension of relations when this consul was in charge at Rio, the Brazilian government were anxious to make him their friend, and gave him the concession which they had always before refused, and that was sold by him for 40,000 *l.* in money and shares. He has since been the manager of the company there, and there is nothing but trouble arising out of this connection.

3115. Mr. *Richard Shaw.*] I think you said that of your own knowledge you are aware that several of our consuls hold Post Office appo ments?—Yes, under the Post Office.

3116. Is it not the fact that their holding appointments was condemned by the Cons Committee of 1858?—No, I do not think it and I should say myself, that as the Post O is a Government department, I do not see objection on principle to their doing so. different with mail steam packet compa where the consul should be our protector, and that the conditions of the mail company are filled.

3117. Mr. *Rylands.*] I wish to ask you was the railway in which this consul speculat —I think it was started as the Paraguassú T Railway Company, and the chairman of company was Mr. Sheridan, a Member of House.

3118. Do you happen to know the position wh Mr. Morgan occupied in connection with Paraguassú Tramway Company?—I do not k what position he occupied; my attention directed to it in consequence of the inte which I had taken in this question out there. remember that I saw a long statement which circulated by "John Morgan, Esq.," who been "40 years resident in Bahia," not stating t he was consul; and then there was an extract fr one of his commercial reports in which he rec mended this scheme, and that of course printed as coming from Mr. Morgan, the con at Bahia. And there again is an illustration the mischief of this. A consul is under the tem ation to make his commercial reports the me of recommending a private speculation of own.

3119. But did he take a position either as m nager, or as a director of the board?—He w I presume, what is called a promoter; he wa person peculiarly interested as vendor in the s cess of the company, and he went back to Ba to be the manager of the company there with salary.

3120. And did I rightly understand you say, that he received a considerable sum of mon for promoting this company?—No; he receiv the price of his concession. He got a concessi from the Brazilian Government, and he sold it this company, and according to the prospect he obtained a sum amounting in money & shares to 40,000 *l.*

3121. Mr. *Otway.*] Is he still consul? Yes.

3122. And salaried?—Yes, and receiving fe on his own account.

3123. Mr. *Rylands.*] I wish to ask you wh ther you are aware that the Paraguassú Railw Company is at present being wound up in t British courts?—I was not aware of it.

3124. You are not aware that a number people in England have lost considerable sums money by it?—I think it is extremely likely.

3125. Mr. *William Cartwright.*] Is he t same person who was left in charge of the a chives at Rio when the relations were suspecte —He was sent there as consul when the cons died; his father was John Morgan, who was t clerk and translator to the mission; a most e cellent man, and an invaluable servant; and had a son in the consular office at Rio, also a ve good man, and it was particularly painful to m to be obliged to complain of him under those ci cumstances.

3126. Mr. *Richard Shaw.*] When you were

service, had you any agent at the Foreign
e?—Yes.
127. Might I ask his name?—First, Mr.
es Murray, who became afterwards assistant
r secretary, and then when he ceased on be-
ing assistant under secretary, Mr. Spring
e.
128. Have you one now?—No, I have none
; when I was placed on a pension, Mr.
ng Rice, my agent, very handsomely said,
u do not want me to get your pension for
you can do it yourself, and save the com-
ion."
129. At the time that you were in the ser-
, did you consider the employment of an
t optional?—No, I did not; I always under-
d that it was necessary.
130. Do you consider the system of agency a
l one?—I think it a bad one.
131. Sir *Charles Wentworth Dilke.*] I wish to
you whether you have ever paid any atten-
to the subject of the entrance examinations
ither the Foreign Office or the Diplomatic
vice?—I have considered both.
132. Did you hear the scheme that we have
ed here Mr. Grant Duff's plan, as to which I
ed Mr. Walrond his opinion?—Yes, I was
sent when you examined Mr. Walrond, and
rd what passed.
133. And should you agree with that scheme
erally?—Without confining myself to Mr.
nt Duff's scheme, I should certainly say that
ystem of open competition is the best for
rance into the Foreign Office; and I can see
valid objection to a system of open competi-
n for entrance into the diplomatic service.
134. With regard to the examination, have
u any personal knowledge of the present
racter of the examination?—I do not approve,
I said the other day, of second examinations;
ink that one examination at starting is quite
ough, and I object to bringing gentlemen of
advanced age to a second examination; I
nk, certainly, that the examination for the
reign Office should embrace a larger number
subjects; the Foreign Office is said to govern
service, to check and regulate the service,
l I certainly think it very desirable that those
o are to check and regulate should pass an
amination at least as severe as those who are
be checked and regulated by them; I think
t an examination for entrance into the Foreign
fice should certainly include international law,
l private international law also, which I think
a very important subject; I would have two
sses of clerks in the Foreign Office, superior
rks, and copying clerks; and the superior
rks I would subject to an examination of
ger scope than that which they undergo
w.
3135. And then it should not merely be a pass
amination, but competitive?—Competitive, and
en competitive; I think that open competition
much better than limited competition.
3136. Mr. *William Lowther.*] With regard to
nsions, should you consider that you would
ve been entitled to a pension after 15 years'
vice without being minister?—I do not quite
derstand what you mean by the words "with-
t being minister."
3137. Without having been named minister;
you had only served 15 years, do you consider
t you would have been entitled to a pension?
0.51.

—If I had served 15 years in an inferior rank as a secretary, I should have had the same sort of claim for a pension corresponding with that rank, as I had for a pension after having served five years as a minister; I should have considered so, certainly; I wish you to understand that I did not ask for my pension, it has been forced upon me.

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3138. In your first day's examination you say with regard to South America that "in some cases you think the rank of our representatives in South America may be advantageously reduced"?—Yes.

3139. Have you ever represented that when you were in South America?—I had no call to represent it, and, of course, I have given very much more consideration to the subject with reference to coming forward here to give evidence. When I was resident in Buenos Ayres I was originally appointed with the title of chargé d'affaires and consul general, and I was unexpectedly sent out with the rank of minister; and I have no hesitation in saying that when there was a separation between the Argentine Republic and Buenos Ayres, which itself gave us an opportunity of settling a great number of questions which I did settle, I was assisted by the superior rank, as the Chairman suggested the other day; but ordinarily the rank of chargé d'affaires and consul general would suffice for any South American mission.

3140. You would not think it advisable that we should reduce the rank of our representatives there if other governments did not do the same, I presume?—I do not think that the course taken by the governments matters there so much as in European courts, where it is very important for any of our representatives to be able to enter on equal terms into conference with his colleagues, on questions affecting not only that particular country, but European interests generally, interests, for instance, affecting the balance of power; but in Brazil and Buenos Ayres there are no questions of that kind. I imagine that almost all other governments would be very glad to follow in our wake; economy is generally of more consequence to them than it is to us.

3141. You stated in answer to Question 2636: "I think that with those governments when you want anything special done it might be, and probably would be, sometimes desirable to send out a special representative with a higher rank, and a higher rank on that occasion would be the more appreciated on account of the ordinary and normal rank being a lower one"; it takes sometime to get to South America, does it not?—Not so long as it used to do. You get to Rio in less than a month; in three weeks nearer than a month.

3142. First of all, there would be the statement that somebody would be wanted?—I am not speaking of his being sent out for anything urgent that requires to be dealt with in a day or a week; I am thinking of some subject of great commercial interest; the fact is, that I am thinking of a case such as occurred when Lord Aberdeen sent out Sir Henry Ellis on a special mission to Rio with the rank of an ambassador; and you will remember that I stated that I advised Lord Russell, when there were a number of these questions, old questions of claims and other questions, which it was very desirable to settle, and when I found that I was not likely to be able to settle them, that he

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might send out an ambassador on a special mission; and I had in view the right which an ambassador has, of audience of the emperor; I thought that that might enable the ambassador to deal better with those questions.

3143. With regard to your living at Petropolis, is there not a Foreign Office regulation with regard to the houses of ministers, that they should live in the town?—Yes, there was a Foreign Office regulation which, I remember, came to Berne when I was there in 1852.

3144. And did you still live at Petropolis?—It was long before I went to Brazil that that circular was issued; it was in 1852, during Lord Malmesbury's first administration of the Foreign Office; but I think I can say (and Mr. Cameron is present as a witness) that even in Berne that circular was not attended to. The minister, Sir Andrew Buchanan, lived out of the town, in a suburb, and I, as chargé d'affaires, did the same, and we had not an office in the town. I felt that, as regards all these circulars, as I state in one of my despatches put in, the minister had a certain discretion; and, as regards myself and my residence at Petropolis, I distinctly brought the question before the Foreign Office, and had their sanction.

3145. Where were the archives kept?—All the archives that I thought necessary were carried up at my expense to Petropolis, and the remainder were taken care of by the consul. The nature of the business in Rio is such that really all that was required in the way of an office in Rio was met by the consul's office.

3146. Who attended to the passports?—There were no passports.

3147. And no affidavits?—No, they would go to the consul; the provision for affidavits in missions has been made to meet those cases where there is no consulate; and it was better for the public that they should go to the consulate, because there they paid fees, and when they came to me there was no fee to pay.

3148. Mr. *Otway.*] Did you make your communication to the Foreign Office before you took your residence at Petropolis, or had you established yourself there when you wrote to the Foreign Office?—When I arrived at Rio it was the very hottest time of the year, a time when yellow fever prevailed, and, as a matter of course, I went straight up to the mountains and got out of it; and it being then the very unhealthy season, I took this house, intending it, in the first instance, as my Petropolis house, and established myself there. Before the end of the season I found that it would not be possible for me to go and live in Rio. There was also a difficulty in getting a suitable house on any reasonable terms, and I then wrote to the Foreign Office about seven months after my arrival, and I was minister there for three years, and, therefore, there was ample time for the Foreign Office to write to me to have a house and office in Rio if they had thought fit to do so.

3149. The custom of the Foreign Office would be to trust very much to the statement of the minister on those matters, provided they were satisfied that he was conducting the business properly?—And I say, with some confidence, that I deserved their confidence, and my statement deserved to be taken on trust, and the Foreign Office did right in receiving it as they did.

3150. Mr. *William Lowther.*] I think that that circular stated that any British subjects were put to expense in going to see a mi could call upon the minister to defray thos penses?—Certainly; but I was never called to do so. It was known to the consul th anyone wished to see me I was ready to g could get down to Rio in four hours; there telegraphic communication. There never any complaint made of my hindrance to p business.

3151. But your predecessor had a hou town, had he not?—My immediate predece as minister, was Mr. Scarlett, and when I ar in Rio, the chargé d'affaires was Mr. Stuart was at that time in the hotel that I have m tioned, and had the archives in a room th but the minister next before me was Mr. Scar he took a house in town on his arrival, but he l a great part of his time in a house in the m tains, much more distant from Rio than n from which it took him nearly a day to ge Rio.

3152. Where did the secretaries live when were at Petropolis?—They lived there with or near me at Petropolis; the secretary of l tion, who was a married man, was delighte being able to live in Petropolis instead of at and he took a house there. Two other secr ries, one paid and the other unpaid, lived small house there, within a stone's throw of m and the old clerk of the legation came up t too, to reside.

3153. And did the rest of the corps diplo tique live at Petropolis?—Not all, but s did. Almost all did for six or seven mon The Russian minister did all the year round, had no house in Rio. The United States nister followed my example, and established h self at Petropolis, and had no house at Rio; there may have been others, but some single n (and most perhaps of the corps diplomatique w single men) used to live at this hotel, the Str gers' Hotel it is called, in a suburb of Rio; really Rio is a city that covers such an imme amount of space, that the house which Scarlett took in the suburb, was perhaps miles from the Emperor's palace at Rio.

3154. He having no office whatever in Rio He had no office besides his house.

3155. Mr. *Rylands.*] Was there not a c sular establishment at Rio?—Yes, the consul w there, and all the current business there w business which chiefly devolved on the consul.

3156. Mr. *Otway.*] The Russians have ve little intercourse, I suppose, with Brazil; th are not many Russians there?—No; not ma Russians.

3157. But there are a great many Engli are there not?—Yes, a great number of resident merchants mostly.

3158. Are there many Spanish?—No; not many at Rio. The Spanish minister lived a up in Petropolis.

3159. Where did the United States minist live?—The first one was a single man, and liv at the Strangers' Hotel, and came up to Petr polis a great deal; and the second lived entire in Petropolis.

3160. Did you always go down on every occ sion when you were informed that your presen was desirable at Rio?—Certainly. At one tim when business was very important and requir my constant attention, I was a long time in Ri a

I was at that time so ill that I was obliged
o and sleep on board the flag-ship, the admi-
kindly allowing me to do so. I suffered from
ma, and I was better on board ship than in

161. Who would inform you that your pre-
ce was desired at Rio?—The consul. Any
would say it to the consul, and the consul
ld inform me.

162. But take the case of a British subject,
had occasion to look for the protection of
is minister, and who found that that minister
not at hand?—He would go to the consul at
. If I had been in Rio, I should have been
blished in a suburb where all the ministers
minally in Rio were. But the consul is the
t person that any British subject would hear
It is a port, and they would come there by
, and they would hear of the consul imme-
tely, and if the consul thought that my pre-
ce was required, he would at once inform me
he fact.

163. I may take it for granted then, that it
your opinion that a minister might at all
es reside four hours' distant from the capital,
ving it to a consul to tell him when he would
wanted?—Certainly not in all cases; but in
he may do so.

164. You think that it would be no inconve-
nce to a British subject for a minister to be
ing up in a mountain four hours' distant from
city?—No; and if the Foreign Office require
inister with intellect and head, and to be able
ays to use it, it would be much better that
minister should keep his health by living in
mountains.

165. I presume that Mr. Gordon and Lord
nsonby and others may be supposed to have
l intellect?—Sir Robert Gordon and Lord
nsonby were men of intellect; but yellow fever
s not known in Rio at the time when they
re ministers there. Every minister has lived
re or less in the mountains, and others of
m have lived at Teresopolis, a place a good
l further off than Petropolis.

166. Viscount *Barrington.*] In fact there was
thing exceptional in your living at Petropolis?
It was exceptional in this way, that as I ex-
ined the other day, I did not in the end take
house in Rio besides my house at Petropolis;
would have been impossible for me to live in
and I found that there was no need.

167. Mr. *Rylands.*] Have you any knowledge
ether the present minister lives at Rio?—He
d a house in Rio; but I understand that he
s been obliged to give it up; but he adopted
e plan of living in Petropolis during the hot
nths. Rio may suit him, I could not live
ere.

168. Do you think that at the present time
has not a house in Rio?—I do not know.

169. Mr. *William Lowther.*] I think that the
sult of your experience is, that there is in
neral a want of harmony in the legations
road; have you heard that that is a general
mplaint, or do you speak from your own ex-
rience, and consider that you have been per-
ps unlucky in the staff you have had?—I cer-
inly was unlucky in some of my staff; but I have
ard of other cases where there has been quite as
uch want of harmony as there was in my time
Rio. I wish to put it moderately. During
the 15 years that I was in the service, hearing of course what was going on at other missions and embassies, Constantinople and Berlin, for instance, I should say that perfect harmony was the exception rather than the rule.

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3170. Did you find that when you made representations on the subject to the Foreign Office, the Foreign Office generally supported the chief?—Certainly; I think the general tendency is to support the chief; the general tendency.

3171. I think that you are in favour of copying machines at legations?—I think that they might be used advantageously to a great extent; I said for local and subsidiary correspondence.

3172. Correspondence with consuls?—For correspondence with consuls and with individuals resident in a place, and for a great deal of routine work they would be of great use; and then when you come to such cases as my own and that of Sir Edmund Lyons in Switzerland, to which I referred the other day, when we had no assistance, there, also, they would be advantageous; and in Mr. Odo Russell's case I should say it would be an act of simple humanity to let him have a copying machine if you do not give him a clerk.

3173. You do not want many copies of the same document in a legation, do you?—You may want many; I had occasion to send circulars to the consuls under me.

3174. Not very often?—No; but even if you have only to make one copy a great deal of time is saved by a machine, particularly if you have not a sufficient staff to aid you. Then as to the consuls, there were instructions to the consuls to send copies to me of all the despatches which they wrote, and one of the difficulties raised was that they had not help enough.

3175. This was in Brazil, where the people who wrote English are few?—These were non-trading consuls with 800 *l.* or 900 *l.* a year, and if they could not write English they were not fit to be consuls.

3176. You stated, in answer to Question 2991, that secretaries of embassy or legation are now of no use unless the chief is absent; is the secretary of no use in the way of having interviews with strangers who come on business (we must not talk of South America here, because they are not apt to have many travellers there I suppose)?—I can only, of course, speak of missions where I have not been from the information that I have gained as to them from the reports laid before Parliament, the reports appended to the report of the Diplomatic Committee of 1861, and those which have been lately published; and I have referred to various statements of ministers in those reports, in which they say that they cannot call upon the chief secretaries of legation to do ordinary work, and that their time is entirely occupied by the commercial reports which are specifically assigned to them, and that generally gentlemen of their age cannot be called upon to take part in the ordinary work of the chancery.

3177. But still he would be of use in the case of the illness of the chief?—He might be of use. Of course a great deal would depend upon the relations between him and his chief. It is very possible that the minister might prefer, in case of illness, depending on some other member of the mission; but, of course, if the chief were incapacitated by illness, the secretary could take the place virtually of the minister.

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3178. Would he never be called upon to go and watch a trial?—He might be so, and I think it very desirable that he should be. I think that in all those ways the first secretary of legation or embassy should be employed. I think that generally there should be a new organisation which would provide us with younger men in those posts. The first secretaries, you must know, are gentlemen very much advanced in age. You were yourself a secretary of embassy up to the year when you went into Parliament. I should say certainly that a gentleman of your age and position, and experience, is not a gentleman whom his chief could call on to do work which it is desirable he should be able to call his secretary to do.

3179. You can imagine circumstances under which a secretary of legation could go to the Foreign Office of the country when it is not desirable that the minister should go?—Yes, and I think it is desirable to have secretaries of embassy and legation who can be used in all those ways without any disinclination on the part of the chiefs to troubling them.

3180. And in a so-called constitutional country he may be called upon to make reports of what goes on in the chamber?—I think it most desirable to have efficient secretaries of embassy and legation.

3181. Your experience is that you did not get much work out of your first secretary?—I stated in a despatch, which has been put in by Mr. Otway, that I had no complaint to make of Mr. Baillie, and that he was quite willing to take his share of the general work; I have a case before me at this moment of an old friend of mine, lately named by Mr. Hammond; I remember that Mr. Hammond stated that he was of such long standing (I allude to Mr. Herries, the chief secretary at Florence), that he would probably be made a minister if an opportunity occurred; he is a gentleman who has been 30 years in the service, and has for 16 years been a secretary. He was secretary under Sir Henry Elliot for some time at Florence, and I remember that Sir Henry Elliot told me of him that he was a model secretary, and that, unlike most other secretaries, he was always happiest when his chief was present, and he was able to help him.

3182. Mr. *Otway.*] When did Sir Henry say this?—In conversation with me.

3183. Mr. *Rylands.*] I understand the practical effect of your evidence to be, that whilst you think that secretaries of legation might do a very large amount of work in the mission, practically they are not of use when the chief of the mission is present, that they do not render themselves generally useful?—That I should say is the general practice, that by mutual consent the secretary does not assist the minister beyond the commercial reports.

3184. Mr. *William Lowther.*] The substance of one of your answers was that though you cannot put persons of a certain standing to do drudgery work, you would be able to put clerks in the same social position which is now enjoyed by junior members of a legation to do it?—Yes, I think so, in embassies and the busiest missions; I think they would resemble Foreign Office clerks; the name would make a great difference.

3185. You have stated that you are in favour of private secretaries; if there is now a want of harmony in legations, do you think that it w conduce to harmony to have a private secr at a legation?—I should say that it cert would, and, if in no other way, by a red staff; I think you will find that harmony legation is generally in inverse proportio the number of the staff; small mis are generally more harmonious, I think, large ones; I can refer to my own e rience in Berne; I was there for three y I had three successive ministers over me, Arthur Magenis, Sir Andrew Buchanan, Sir Charles Murray; and Mr. Cameron attaché there for a considerable time, during all that time there was no quarrellin Berne.

3186. Have you ever been at a legation wh there was a private secretary?—I had a pri secretary of my own in the River Plate, an was an efficient assistant, and Lord Claren was kind enough to introduce him into service.

3187. Do you think that there is no diffic in separating what is called the private w from the public work of a private secretary? look upon the work to be done by a priv secretary as public work; I should use private secretary of an ambassador or ministe the same way, and I should regard him in same light as the private secretaries of Colo governors, and Cabinet ministers, and head great departments at home; all that a priv secretary does in a public department is pu work; a minister's position depends very m upon social matters, and for those matter private secretary is specially adapted.

3188. You stated that you were selected Lord Palmerston from the House of Common be introduced into the service. Was that your application?—I was on those terms w Lord Palmerston that he was kind enough treat me always when I was in the House Commons with confidence, and having lost seat in the House of Commons I expressed him my desire to be introduced by him, if could do so, into the diplomatic service. He ceived my suggestion very kindly, and in a sh time he proposed to me to go out as agent a consul general to Mosquito. It was just af the naval engagement in Mosquito, where C tain Loch commanded a British force agai Nicaragua. Lord Palmerston told me then wanted a gentleman of some constitutional kno ledge, to settle the affairs of Mosquito, and l me to expect that after a little time he would troduce me into the service as a secretary legation, and he fulfilled his promise, as he alwa did.

3189. With reference to the pay of a secreta of legation, you are aware that when a man h been secretary of legation for more than 10 ye he receives, if he is not promoted, an additio sum of 250 *l.*?—Yes.

3190. You are aware that when he is promot to be secretary of embassy he loses his 250 *l.*, account of his promotion?—I have come to kn it lately by reading the evidence.

3191. Do you consider that that is a good a just arrangement?—Well, I should say that t secretary of embassy at Berlin should be bett paid.

3192. That is not the question. Do you co sider that a man should lose pay by promotion?

I should say that that was one of the anoes of the service.

193. With reference to your answer to ques- 3017, I wish to ask, did you know, when were at a legation, cases of work being left one if it could possibly be done?—I have ainly known such cases. I should be very y to have to enter into particular cases, but ve known of idle secretaries, and of inefficient etaries, and others have suffered by their not g their work as they should do.

194. And do you think that grumbling is ined to the diplomatic service as regards pay? Ve are said to be a nation of grumblers; but ve mentioned this grumbling as not unreason- ; I think that it is what you are to expect. retaries receiving really very inadequate pay their expenses, although they have entered service knowing its conditions, yet naturally for higher pay, and grumble at what they k so much being required from them when receive what they think so little.

195. You have stated that you know cases of k being left undone; did you ever report any ose cases?—I would rather, unless the honour- gentleman insists on pressing the question, d entering into particular cases, involving ctions on the character of individuals.

196. Mr. *Otway.*] Does this case differ in its onality in any way from your answer with introduction of the consul's name?—The oduction of the consul's name was in inucing a very important public question, an existing public grievance, and I have d that I look upon that as a question the Foreign Office, not for the consul; the ul was allowed to do what he did; I did not rd that as in any way a personal attack upon consul; I have mentioned two other cases re a difficulty was made about my requirets or instructions, and those cases involved reflection on character of any sort. I have deliberately considered what I have stated ; I would rather not enter into any icular cases, in answer to the honourable nber's present question.

197. Mr. *Rylands.*] Could you, without ring into any particular cases, tell the Comee whether, as minister, you ever complained ne Foreign Office of any inattention or want ttention to duties on the part of the gentle- attached to your mission?—If the question ressed I will answer it, but I only wish to that I do not desire to enter into cases, a rence to which may open the door to a very e inquiry; I shrink from nothing.

198. But could you not answer my question, er affirmatively or negatively, whether as ister you have ever complained of such a case? have complained.

199. You have complained to the Foreign e of inattention to duties on the part of one ther of your subordinates?—Yes, I have so.

200. Then I wish to ask you whether in conence of your complaints, the Foreign Office action in the matter, so as to prevent the rrence of the ground of complaint?—The eign Office has generally taken action; I mened the other day a case of a secretary, who my calling Lord Russell's attention to his not ng made any commercial report, replied to Foreign Office that he considered that in that matter, he was responsible to Lord Russell alone; whereas it was quite clear that it was my business to look after it, and I only did my duty in mentioning it; as regards that case, I will say at once that I wrote to Lord Russell in answer to the statement, mentioning that this statement of the secretary, that he was responsible to Lord Russell alone in that matter, which was obviously an incorrect one, was in the archives of the Brazil mission uncontradicted, and I requested that it should be contradicted. I did not receive an answer to that letter, and, so far as I know, the statement remains there uncontradicted. I wish it to be understood that in mentioning Lord Russell's name, I make no charge against him, because we know quite well that the Secretary of State must depend on subordinates in the office for work of detail of this sort.

3201. Mr. *Otway.*] I see that in answer to Question 2669, on this point, you stated: "I heard Sir Henry Bulwer state the other day in this room that during the whole of his career, and in the most important posts that he has ever held, and at the busiest time, he has never wanted the assistance of more than two men; and I may say that at Rio, during my busiest time, for all the time which preceded the termination of my career there, during all the negotiations and discussions which ended in the reprisals, I was really assisted only by one attaché"; and when I asked you what the staff at Rio then was, you told me that "the staff was a secretary of legation, one paid attaché, two unpaid attachés, and then there was a clerk and translator"?—That was the nominal staff.

3202. Upon that occasion, when you were carrying on such important negotiations, and when you had the staff which I have now read, and when, as you said, you only received the assistance of one attaché, did you complain of the neglect of the other gentlemen?—First of all, you will allow me to observe, that in saying that I was assisted at one time only by one secretary, I was only following up the remark which I had heard Sir Henry Bulwer make in this room; I did not say that by way of complaint against the others, but in order to show with how few assistants the most important and the heaviest work might be done. That was the object of my remark. With reference to my complaining of the neglect of the others, you will perhaps remember that, in answer to a question which you put to me then, I explained how it was that there was only one assisting me. I told you that the secretary of legation was away; he was away in England. The person who assisted me was the paid attaché. The unpaid attaché who was there had declined to come down from Petropolis to be with me, on account of ill health; I made no complaint even of that in answering your question. As regards the other unpaid attaché, I was unable to say at the moment, and am still unable to say whether there was then an unpaid attaché appointed, or whether he was away on leave; but perhaps you will allow me to supplement or correct my answer by saying, that besides this paid attaché who assisted me in all my work, and who was my right-hand man, the clerk and translator was carrying on at Petropolis the routine work of the mission.

3203. Did you complain of the gentlemen who declined to assist you?—I tell you that they did not decline to assist me; one was away.

3204. One

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3204. One declined to assist you?—He declined on account of ill health.

3205. In point of fact, there was no blame to be attached to any member of the legation?—I do not say so; but I did not mention it as blame, I mentioned it as a proof of what little assistance you required for the heaviest work; I did not mention it in the way of complaint.

3206. Mr. *Lowther.*] The regulations with reference to marriages at a legation must, I suppose, very much depend upon the laws of the country?—You mean, I presume, as to mixed marriages, a marriage, say, in Switzerland of an Englishman with a Swiss Protestant lady, or *vice versâ.*

3207. You would not marry them direc they came, if the laws of the country say t before people are married at the legation, banns shall be published in the church; th would have to bring a certificate from the poli or from their parents, would they not?— that is not the custom at all of a mission; a you will see that that is more strongly stated Mr. Hammond in his evidence before the Ro Commission than I state it; we really ha nothing to do with the requirements of country for a valid marriage at an English m sion.

Monday, 23rd May 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. Cameron.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

MR. JOHN GREENWOOD, Q.C., called in; and Examined.

Mr. *J. Greenwood*, Q.C.

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3209. *Chairman.*] WHAT office do you hold?—I am Solicitor to the Treasury.

3210. Are you the legal and confidential adviser of the Treasury, in regard to the Treasury business?—I act as the medium of communication with the law officers, where it is necessary to consult the law officers. In other matters I have the honour to advise the Treasury myself.

3211. Being yourself a Queen's Counsel?—Yes.

3212. Mr. *Rylands.*] The attention of the Committee has been directed to a certain charge which appears in the Supplementary Estimates laid before Parliament this year; it is an account paid to Mrs. Mary Ackers Cage, "Settlement in full of her claims against Her Majesty's Government on account of the mal-administration of the estate of her late father, Mr. W. Ackers of Venezuela, 3,404*l.* 17*s.*," and we have reason to suppose that that mal-administration occurred while Mr. Bingham was consul at Venezuela; can you give us any explanation of the matter?—I should wish the Committee kindly to consider that all that I know of Mrs. Cage and the Ackers' affair is derived from written communications made to me by the Lords of the Treasury, and all the advice that I have tendered to them has been in the shape of reports; and those communications between the Treasury and the solicitor have usually been considered confidential; I have not the least personal objection to tell the Committee everything that I know upon the subject, but I wish the Committee to consider how far it is proper to examine me as to matters that have passed between my principals, if I may so call them, and myself.

3213. *Chairman.*] Have you had any communication with the Lords of the Treasury about your giving evidence here?—None whatever.

3214. The professional privilege is the privilege of the client, I believe, and not the privilege of the adviser?—I think that is so laid down in the books; but I have not the slightest personal objection to go through the whole affair; if the permission which the Committee has received, and which has not reached me, satisfies them that I am at liberty to disclose everything that I know, I am perfectly ready to do so.

MR. PETER RYLANDS (a Member of the Committee), Examined.

Mr. *P. Rylands*, M.P.

3215. *Chairman.*] HAVE you been in communication with the Treasury with regard to Mr. Greenwood's giving evidence here?—I have.

3216. Have you seen one of the Lords of the Treasury on the subject?—I have seen one of the Lords of the Treasury, and I have also had a note from Mr. William Henry Gladstone, who is one of the Lords of the Treasury, stating that Mr. Greenwood would give evidence before the Committee on behalf of the Treasury.

MR. JOHN GREENWOOD, Q.C., called in; and further Examined.

Mr. *J. Greenwood*, Q.C.

3217. Mr. *Rylands.*] WILL you be good enough to say whether the circumstances of this case came under the notice of the Treasury in connection with the pension which was proposed to be given to Mr. Bingham?—I might say that in 1859 a sack of papers which had been sent from the Foreign Office to the Treasury was forwarded to me, endorsed "referred to the solicitor." I went entirely through those papers, and made a long report on the 4th of March 1859. Therefore those papers which I had came from the Treasury, and my report upon them went to the Treasury.

3218. Can you state, in the first instance, whether the claim of this large sum of money arose out of mal-administration under the direction of Mr. Bingham whilst he was consul at Venezuela?—

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Venezuela?—It is difficult to state, in a short way, the history of this long and entangled case; but I may say that I think for four years Mr. Bingham assumed the administration of that estate, and at the end of about the fourth year he gave it up, and the parties who were interested in it complained that their property had been much injured by that, and eventually, I believe, the injury sustained by Mrs. Cage was assessed at that sum which you have mentioned, and the Lords of the Treasury, as I understand, directed that that amount should be paid to her.

3219. But did any matters come under your notice as solicitor to the Treasury, bearing on the question how far Mr. Bingham was legally responsible for the result of his administration?—I thought myself that he was legally responsible to all the parties whose property had been damaged.

3220. But you are aware that the country, by a supplementary estimate, has paid that 3,400 *l.*, which you in your judgment consider Mr. Bingham was legally responsible for?—I have heard so, and I think that they were bound to do so, so far as Mrs. Ackers Cage and the other individuals were concerned, because the whole of this administration had been carried on by Mr. Bingham with the knowledge of the Foreign Office, and they had not repudiated it. I am not aware that he concealed anything; he rather, I think, prided himself upon what he had done; and I thought that if a Government official undertook, contrary to law, the administration of another person's estate, and that was done with the knowledge and apparent sanction of Her Majesty's Government, it was a matter of plain justice that Her Majesty's Government should at all events reimburse the individuals injured. That was my judgment.

3221. Then I gather your opinion to be that it was right that the amount should be placed in the supplementary Estimates, because the Foreign Office had to some extent become a party to the administration of this estate by not discountenancing Mr. Bingham's action?—I do not think that I can do much more than repeat my last answer, that as the Foreign Office, to whom he was constantly reporting, appeared to me to have had full knowledge of what he was doing, and had not taken the matter out of his hands, it appeared to me that it was a matter of plain justice that the Government represented by the Foreign Office ought to make good to the private parties the injury which they had sustained.

3222. But while you were of that opinion did you think that Mr. Bingham was legally responsible to make good to the Government the amount which he had lost, owing to that administration?—No; I thought that he was legally responsible to the parties. What remedy the Government could have had would be a nicer consideration.

3223. You are aware that Mr. Bingham has received a pension?—I have heard so, and of course I know it in the same way in which almost everybody knows those things; I had nothing on earth to do with it.

3224. I thought that we should have been able to get from you, as the Solicitor to the Treasury, whether your advice had been taken as to how far Government should attach his pension for the payment of this sum of money?—It had.

3225. What was your advice on that matter?—I would rather, if the Committee will permit me, as it is a written document, put in my unworthy opinion; I could, however, give you t substance of it, if you will trust to my recolle tion. What I thought was, that before the Tre sury could assume to deduct from his pensi the amount that they had paid to Mrs. Cage, h at all events, ought to have a full opportunity controverting the materials upon which she h founded that claim, and that it was not at a right to look upon it as a liquidated sum, admi ted to be due from Mr. Bingham; and, secondl I thought that as he had constantly report everything that he was doing, and had not bee reproved by his superiors at home, that it wa extremely questionable whether, as a matter justice, if he had acted according to the best his judgment, that sum ought to be deducte from the pension. That was the substance of m opinion, as far as I can recollect. The first pa was a question of law, and the second a questio of justice.

3226. Now, I understand you to say that thi administration of Mr. Ackers's estate was contrar to law; that is to say, that the consul had acte contrary to law in administering it?—In m judgment, entirely.

3227. Can you tell us, shortly, in what wa he acted contrary to law?—Mr. Ackers was person who, I think, had lived for 20 or 30 years i Venezuela; he had been engaged in commercia occupations of all sorts at Liverpool and variou other places, and he died in full old age in Vene zuela, leaving a will, which had been drawn u by his solicitor in Liverpool, attested by two of hi solicitor's clerks, disposing of his property. He lef upon the actual spot Mrs. Ackers Cage, who wa his illegitimate daughter, but who had been re cognised as his daughter at the time of her marriage in his house, and by that recognition, I was informed, had acquired a status, according t the law of the land there, to the whole, according to the opinion of some of the lawyers, to a portion according to the opinion of others, of his unde vised estate; and he left besides a grandson, who had for a long time had the management of his estates there; and, therefore, it appeared to me that Mr. Bingham had not the slightest right of any sort, legal or equitable, to interfere with the estate.

3228. *Chairman.*] Did this all arise from Mr. Bingham's administering the estate under Mr. Ackers's will?—Not under the will, because the will disposed of the whole property; but it arose entirely from the fact that he assumed to administer it.

3229. He took possession of the property, and as we say administered to the will?—He administered the estate.

3230. Mr. *Rylands.*] In fact, he pressed himself into the administration of that estate?—He assumed the administration contrary to the desire of the family.

3231. And in consequence of that administration of the estate, there was this large loss of money?—There was undoubtedly a loss; what the amount was I have no means of telling; if that is a true claim, then I have no doubt it arose from the administration of the estate by Mr. Bingham.

3232. Can you tell us, shortly, in what way this deficiency happened; was there a deficiency of funds, or was there a loss in some transaction arising out of a disposal of the assets of the estate?—It would, I am afraid, mislead you if I were to attempt to give anything like minute details on

that point; but among other things it was said t the cultivation of certain sugar plantations been assumed by Mr. Bingham, and that y had not been properly cultivated, but were rgrown with weeds; that the large mercantile irs, in fact, had been mismanaged.

3233. Upon the face of the documents did re appear to be any absolute abstraction of perty in connection with the estate?—There e disputed disbursements, according to my llection. For example, there was a conerable sum of money, I think, paid to the laws employed by Mr. Bingham, which he charged, which the family said ought not to have been rged against the estate by a man who assumed administration of the estate without any legal ht. And then afterwards there was, I believe ite of late years), a dispute about the payment non-payment of one particular sum which was to have been received on account of the es- by Mr. Bingham, and not duly accounted by him; but, according to my judgment, en I came to read the papers I thought that Mr. gham was free from any imputation of malsation there.

3234. You state that the justice of the case is ected very much by the fact that the Foreign fice was cognisant of these proceedings; but ve you reason to suppose from the papers that the circumstances under which Mr. Bingham d taken charge of this estate were fully known the Foreign Office?—Certainly; they were in mmunication with him for four years before papers came to my hand.

3235. But was not that after the mal-administion had taken place; were they acquainted th them during the course of the mal-administion?—Perhaps, in answer to that question, I d better give you two dates. Ackers, the testa-, died in January 1855; from that time until the rly part of 1859 Mr. Bingham was in constant mmunication with the Foreign Office, and it s not until the early part of 1859, after the adnistration had been going on four years, that papers were sent to the Treasury. They ere acting up to that period under the advice the Queen's Advocate, the late Sir John arding.

3236. But if Mr. Ackers died in 1855, I preme that Mr. Bingham at once entered into the ministration of his estate?—Yes.

3237. And he continued to administer the tate up to 1859?—Yes.

3238. With the knowledge during the whole that time, according to your evidence, of the oreign Office?—Yes.

3239. Mr. *Eastwick.*] Was there any other aimant of the estate?—Yes; it was a very rge estate, and there were a vast number of editors; one claimant I recollect was to the nount of 70,000 *l.*, founded or unfounded.

3240. Do you recollect the name of that cretor?—No, I do not recollect his name at this oment; as far as I could judge, if one-half of e creditors, whose claims, I think, amounted to out half a million of dollars, had sustained the nole of their claim, the estate would have been solvent, though it was a very large one.

3241. Do you know who was put in actual charge the estate to look after the cultivation, and so a?—Mr. Bingham principally himself took the harge of them, because I recollect that he hoisted e British flag at one of the plantations; and there was a person of the name of Huizi, who was said to be part owner of one of these estates with Mr. Ackers, and I think he was put in possession, under some arrangement with Mr. Bingham, of one of these estates; but, according to what I could infer from the papers, Mr. Bingham himself personally superintended the administration of the whole estate.

3242. And was any money paid to these creditors?—That I cannot tell you.

3243. Mr. *Rylands.*] Did anything come out of the papers to show that Mr. Bingham received out of the estate any salary or allowances, or perquisites of any kind?—He sent in a very long account indeed at the end, which was rather a matter for the consideration of the Lords of the Treasury and of their financial officers than for me; I have seen it, but I think I am hardly in a position to speak upon that; payments, no doubt, were made in administering so large an estate, but that they were in the shape of salary exactly I cannot say.

3244. Mr. *Eastwick.*] You cannot say whether the claims of these creditors were satisfied or not, or whether any payment was made to them at all?—I have not the slightest doubt that some must have been paid; whether there was anything like a winding-up of the estate I should think extremely doubtful; that really was a matter that did not come under my observation, except incidentally.

3245. Mr. *Rylands.*] In the course of your evidence you mentioned that a sackful of papers was sent to your office from the Foreign Office, in connection with this case of Mr. Ackers?—I was describing the circumstances as nearly as I could, in order to give you the exact facts as to the way in which, four years after the transaction had begun, it first reached my hands. There came to the Treasury, without any preparatory information, a large sack of papers, which was referred to the solicitor, and for a long time, of course, I had to go through the papers to ascertain what it was that was referred to me. It was a very complicated case, and took me a long time reading through.

3246. Is it not the fact that the Foreign Office, when they wish the advice of the law officers of the Crown, make a practice of sending sackfuls of papers in that way?—They do not send them through me to the law officers, and therefore I cannot say. The Foreign Office are in the habit of communicating with the law officers directly, without going through the Treasury; but in this case the senior law officer, the Queen's Advocate, had been in communication with the Foreign Office for some years, and then, for some reason unknown to me, the whole of the papers were transferred to the Treasury.

3247. I suppose you found it rather a troublesome and lengthy affair to digest such a mass of materials?—Yes; but I have a great number of long and troublesome matters.

3248. But would you not consider, supposing the Foreign Office required the advice of the law officers of the Crown, that the proper course would be to send in a case, instead of a sackful of papers?—It would save them, no doubt, a vast deal of trouble; but occasionally, unless you have a lawyer to do it, there is a difficulty in saying whether this or that paper can be safely omitted; and it has been the practice of several of the offices which communicate directly with the law

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officers rather to send them the facts undigested than to affect to draw up a case setting out the particular points. If papers are sent to us at the Treasury, we feel ourselves bound always to make such a *précis* of them as we can, and submit actual questions upon them; but I am not sure that that could fairly be expected of the Foreign Office.

3249. It could not be expected of the Foreign Office under the present system, that is to say, as they have no legal officer connected with them; but it might readily be done, I presume, in the event of their having such an officer?—Yes.

3250. I think the payment for the legal advice obtained by the Foreign Office goes through your office?—It does now entirely. I think up to 1854 the senior law officer, as he was then the Queen's Advocate, was paid by the Queen's Proctor, and the Attorney General and Solicitor General were paid in what is called the report account by the Solicitor of the Treasury. Now all three are paid by the Solicitor of the Treasury out of "law charges."

3251. In making out the accounts are the law charges in connection with the Foreign Department carefully separated from the other law charges of the Crown for the Queen's Advocate, and the Attorney General and Solicitor General?—In making our payments we have very broad distinctions, but there is what they call the report account (which is perhaps not a very accurate phrase, though it has been in use almost from time immemorial). The report account is an account sent in by the Queen's Advocate, the Attorney General and Solicitor General, of the reports made to the Foreign Office, to the Colonial Office, and various other offices upon matters referred to them directly, without communication with the Solicitor of the Treasury, and the Solicitor of the Treasury has only to make the payment. That report account is all kept as it were in one lump.

3252. I presume that the report account really means, in the main, the account for giving opinions upon cases presented to them by the respective departments?—I have no doubt that that is the great bulk of the account; but under that head "Report Account," are included fees for attendance at the Cabinet, at the Board of Trade, at the Home Office, and for Orders in Council submitted to them for approval in church cases and others. Those are matters which do not pass through our hands at all; they are sent in by the law officers' clerks to us for payment, and from time immemorial they have been always put into one account called the "Report Account."

3253. Then, if that account, for instance, always amounted to 20,000 *l.*, you as Solicitor to the Treasury, although you pass the account for payment, do not know what proportion of that account belongs to the Foreign Office, and what proportion to the Colonial Office or to the Privy Council?—I have no doubt that our clerks could find that out, because there are sufficient papers to enable them to say whether an item comes from one office or another; practically we have no means of ascertaining what degree of labour or learning or trouble is involved in the answer of a case submitted by one office or another. There is a rough scale by which the clerks ascertain the fees to be paid, and if anything unusually troublesome, or involving greater responsibility t usual, should make it seem necessary to the officer's clerk to put down a fee rather larger t the usual scale, it has been the custom to beg law officer to have the kindness to put his ini in the margin; but we are obliged, of course take a great deal of that, trusting to the hon of the parties with whom we deal.

3254. *Chairman.*] Do the law officers t settle their own fees?—Their clerks, I have doubt, in nine cases out of ten, put down usual fee. There have been occasions, howe where a fee has been suggested by a clerk wh is a little more than usual; we do not see papers, but only the paper on which the quest has been referred, perhaps, and for our own sa faction we ask in that case that the law officer be good enough to affix his initials. The cle in our own office receive from the clerks of the officers an account of these cases, and the cle in our office have a sort of rough scale which been in use for about 50 or 60 years for the p ment of them. Sometimes that scale is a li exceeded, and in those cases (it is a most uncc fortable duty for us) we say, "We should glad for our own satisfaction if the law offi would put his initials to this."

3255. Mr. *Richard Shaw.*] Then I underst that the Foreign Office would send a bundle papers to the Queen's Advocate or any other the law officers of the Crown; in due time would receive a report from the law office clerk of the work done, and you have a scale your office on which your clerk would ascert the amount to be paid for that work?—Y there is one particular clerk in our office on wh that duty falls.

3256. Mr. *Rylands.*] And you having a rep of all the business done by the law officers of t Crown, the amount is not separated, but add up altogether in one lump sum?—The rep account comes in not quite quarterly, but I thi about quarterly; that report account shows t there is so much for the Attorney General, much for the Solicitor General, and so much the Queen's Advocate, but there is no furth analysis made in our books.

3257. So that you cannot give me any idea what proportion the law charges paid on accou of the Foreign Office bear to the total amou of the charges of the law officers of the Crow —I could find out what sum in the course of t year is paid in the report account, and possib the report account might be split into tho several heads of the Colonial Office, the Hot Office, attendance on the Cabinet, and the oth items which I just now mentioned.

3258. *Chairman.*] I suppose you could get return of what has been paid on the Forei Office Account for the last five or six years?— this moment I am unable to tell you that; the is a perfectly separate account of the fees pa for Government prosecutions, and opinions tak by the solicitor of the Treasury, by direction the Treasury or of the Home Office; that co stitutes no part of what is called the report a count; the report account includes the answe to communications made directly by the differe departments to the law officers, and whether th can be separated into Colonial, Foreign, Priv Council, and so on, I am at this moment unab to tell you.

3259. Mr. *Rylands.*] With regard to t auditin

diting of these accounts, I presume from the dence that you have just now given, that the counts are audited in a lump under the Appro- ation Act, and there is no separation of them? They are paid out of law charges, and audited detail.

3260. And the whole sum of law charges go the Appropriation Account, without any sepa- ion as to the different departments in which ey have been incurred?—The fees paid to nsel are left entirely to the judgment of the icitor to the Treasury.

3261. So that, in fact, you hand in a total ount of law charges?—No; the law charges separated into various heads, including the es of counsel, and are all vouched at the Audit fice.

3262. Mr. *Otway.*] The fees paid on cases to e law officers do not vary very much, do they? No, very little; it is almost an uniform scale, d the exceptions are very rare; and when I y that occasionally you have the initials of the y officer, I do not know that it has gone even yond the Queen's Advocate, who generally has e largest fee, I think.

3263. Mr. *Richard Shaw.*] Supposing that e solicitor were to prepare the case from the ndle of papers instead of sending that bundle papers to the law officer, then the law officer ould have no right, would he, to charge a fee five guineas for perusing the case?—Certainly, at would be so if you had a case submitted ith a distinct question. But I do not know hether that could be done satisfactorily from the oreign Office. I could not say that it could, cause there are a great number of cases where is better that the particular expressions in par- ular despatches, the *ipsissima verba*, should be nt to the law officers, that they may judge for emselves. In a great number of cases there ould be no great loss of time in doing that, nor ny additional trouble to the law officers, and a an would write an opinion with greater comfort his own mind, if he saw the very documents n which the opinion was to be founded, than he ould if they were abridged by a person in hose judgment he might not have entire con- dence. There may be other cases in which me brief point of law might be skilfully evolved om the facts by the person who brought the uestion to the law officers; but I do not think at it would do to test the communications etween the Foreign Office and the law officers y the same rule which in ordinary life would be ursued between solicitors and counsel.

3264. Mr. *Rylands.*] Then, on the whole, you o not disapprove of this practice of the Foreign ffice?—I am not sufficiently acquainted with to be able to pass judgment on it; if I were sked to do so, I should say that, as far as I am judge, occasionally some little labour might be sefully laid out in sorting papers, and arranging acts even in the Foreign Office; but whether ey do that or not, or to what extent they do it, am not able to say, because I do not see the mmunications that take place except when they appen to be brought back to the Treasury.

3265. Mr. *Cartwright.*] Is the practice of the oreign Office different from that of any other rge department in that respect?—I know very ttle, except in an accidental way, of what the al practice of the Foreign Office is, and still ss of what the practice of the Colonial Office is; it is quite different from the practice of the Treasury, because there we do things in a legal shape.

3266. Mr. *Rylands.*] You would consider that you have a good system at the Treasury?—A good system, certainly.

3267. But it is a very different system from the system of the Foreign Office?—We deal with very different matters.

3268. *Chairman.*] Was there, as far as you know, any substantial question of malversation against Mr. Bingham in this administration of Mr. Ackers's will, or was it merely mismanagement?—It was more than mismanagement, because of course the whole thing, according to my judgment, was assumed by Mr. Bingham, without the slightest right for four years; whatever damage did occur arose, in my judgment, from his assuming to himself an administration without any pretext for doing so; but I saw nothing against the honour and honesty of Mr. Bingham, and when of late years this question arose about some matters in his account, according to my judgment it was not only incapable of being proved against him, but he had not received the money.

3269. Mr, *Eastwick.*] The reason why I asked whether there was any payment on the part of the creditors was to ascertain whether Mr. Bingham assumed the administration of the estate in order to settle with the creditors, because if he did that of course there is a legitimate ground at once?—It necessarily followed, from his assumption of administration, that he was the person to be looked to to settle the estate so far as the assets of the estate went.

3270. But if he made no attempt to settle these claims?—I am by no means sure that he did not.

3271. *Chairman.*] Is the whole thing wound-up now?—The whole thing has been handed back to the family. At the first stage the tribunals of the country decided that Mr. Bingham had no right to interfere. He appealed to the President rather in an official way to stop the tribunals, and ultimately the court of appeal decided that the first decision of the local tribunals was correct, and that Mr. Bingham had nothing to do with the administration, but that Mrs. Ackers Cage ought to be put into possession.

3272. But whatever Mr. Bingham had done in that matter was done, as I understand you, with the knowledge and sanction of the Foreign Office?—When I was reading the papers I found an immense number of reports of what he had done, and I saw nothing like secresy or concealment on his part.

3273. Reports by him to the Foreign Office, do you mean?—Yes, and those were submitted almost invariably, according to my recollection, to the Queen's Advocate.

3274. And, in fact, upon the strength of those numerous reports, and the knowledge of the Foreign Office, you recommended the Government to pay the deficiency?—Yes.

3275. How long ago was it that you made your report?—I made, I think, seven or eight reports, but the first report, in which I went into the whole question, was on the 4th of March 1859.

3276. And when was it all concluded?—My last report was in June 1861, but then that was upon these claims of Mrs. Ackers Cage to be reimbursed.

3277. That last report was the report recommending

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mending that she should be reimbursed, I presume?—Yes, I gave it as my opinion that Government ought to bear her harmless, because I was satisfied that unless the Government had so far supported Mr. Bingham as not to interfere, she would have been in possession of the estate from the first moment that her father died.

3278. Viscount *Barrington.*] Did the pension to Mr. Bingham date from 1861, after your last report?—I really do not know; I had nothing to do with that; I heard that there was a question about the pension, and some papers were sent to me, and I said that I had made all my reports without the slightest reference to pension or no pension, and that I was totally unacquainted with the principles on which the different departments recommended pensions. It was upon the 21st of August 1860 that I sent a short memorandum back, which I can hardly call a report, saying that I had nothing to say one way or the other about the pension, that all my reports were made without reference to any such question, and that I was unacquainted with the principles on which the Foreign Office, or any other office, recommended pensions; I did not wish to assume the responsibility of saying that a gentleman ought not to have a pension; it was no concern of mine.

3279. Mr. *Richard Shaw.*] Can you tell us what motive influenced Mr. Bingham, in the first instance, to interfere in the administration of this estate?—I cannot really tell you what motive influenced him.

3280. Would it be the desire to receive a commission for his services?—I do not impute that to Mr. Bingham, but he made that a charge. Two-and-a-half per cent. is by Act of Parliament payable to an English consul in a foreign country who administers the estate of an intestate person. Strictly, this was not within the Act, because it was not the estate of an intestate person.

3281. Can you tell the Committee whether Mr. Bingham did receive a commission of two-and-half per cent., or any other per-centage for winding up this estate?—I think it was charged in his accounts.

3282. Can you give us an idea of what that per-centage would amount to?—I cannot.

3283. Could you, from any papers that you have in the Treasury, state the amount of it?—I could, with the permission of the Lords, if the Committee choose to desire me to ask that permission, give the account sent in by Mr. Bingham.

3284. Sir *C. W. Dilke.*] You have already stated something like the amount of the estate, because you said, with regard to the debts, what they amounted to?—My memorandum is this: "Half-a-million dollars would be below the total of the claims on the estate; one creditor claims 70,000*l.*" What the whole amount of the estate itself was I really do not know; but, according to my recollection, I thought that if all these claims, or a large proportion of them, were sustained, the estate was insolvent.

3285. Mr. *Rylands.*] What Mr. Bingham would get would be 2½ per cent. upon the amount of money which passed through his hands in the administration?—That is the rule laid down apparently in the Act of Parliament.

3286. And did the accounts placed in your hands show the actual sum of money which he got in the form of commission?—The accou of the early period were not actually placed my hands, and it was no part of my special du to go into those accounts. The Act to which refer is the 6th of George the Fourth, chapter which allows a consul to charge 2½ per cent. administering the estate of an intestate perso

3287. Mr. *Eastwick.*] Can you explain hov consul could take charge of an estate as intestate estate, when there was a good will? No, I cannot; it was assumed without the le authority whatever; at the same time I can help thinking that he honestly believed that had the right to do it, because he constantly ported it.

3288. Mr. *Rylands.*] The effect of the wh matter is this, that in your judgment he illega assumed the administration of the estate, up which he would receive a commission of 2½ p cent. amounting to a large sum, and that in end the nation has to pay 3,400*l.*, and there is remedy whatever to protect us from paying th gentleman's full pension?—I think that M Bingham, like a good many consuls, really m understood his duty or authority. I think that great number of consuls imagine that they ha a right to take to the administration of an esta when a British subject dies abroad. Accordi to the advice however that I have humbly offer to the Lords over and over again, they have not a such right whatever, except in the cases of the being a local law to that effect. What they is done to prevent plunders, and in the certain that the proceedings which they take will sanctioned by the family or relatives at home; a when they have done that and have remitted th amount to the parties at home, they get their 2 per cent. They think it a right rather than permissive interference on their parts.

3289. Viscount *Barrington.*] If not a right, appears to be a custom?—Yes; they do not co fine themselves to the terms of the statute, whic only applies to an intestate case. If a man di with a will in his pocket he wants the assistanc of the consul just as much as if he dies without will, and therefore in practice no distinction made there between testacy and intestacy. Th Solicitor to the Treasury has, if necessary, to fin out the next of kin.

3290. *Chairman.*] Do you have many of thes cases of British subjects dying abroad intestate —We have a great number of cases of Britis subjects dying abroad. The class of cases is calle "British subjects deceased;" and whether inte tate or not does not make much difference.

3291. And it is the practice of the consuls, understand, to interfere in these cases?—Yes.

3292. And Mr. Bingham did nothing out o the common, therefore?—Yes, because the whol family was on the spot, as well as there being will. Mr. Ackers was not a man whose life ha dropped on a sudden, but he had been living i the country for a long time, and he left a will, an his family on the spot.

3293. Mr. *Otway.*] Are you aware of the in structions to consuls; I presume that they woul not come under your notice?—I have severa copies of them, I think.

3294. They are very precise with regard to the cases where the families reside in the place, are they not?—Yes; they have from time to time been put into shape.

3295. Mr. *William Lowther.*] If Mr. Bing-

ham

had not taken the administration of this property into his hands, I suppose these claimants would at once have come upon the property, and the property would not have been much the better for it?—There was the property on the spot, and the tribunals on the spot, and the whole family too.

3296. If he had not taken on himself the administration what would have become of the estate; would it have gone into the law courts?—There was no reason why it should have gone into the law courts, except as far as the disputed claims were concerned; it was like the case of any other person dying with large property in England.

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Mr. THEODORE WALROND, re-called; and further Examined.

3297. *Chairman.*] YOU were asked some questions the other day with reference to forms of competition for the Diplomatic Service; but I did not gather that you were asked your own opinion as to what would be the best mode of conducting such a competitive examination?—I was asked whether a certain plan that was mentioned seemed to me practicable, and an improvement on the present plan; and I answered that I thought it was; but if I am asked whether that is what I should recommend, I should not say so.

3298. What is it that you would recommend?—Although that plan is founded on a true principle, namely that of letting everyone who is fit for the situation come forward and show what he is worth, without needing to be backed by interest or influence, and then letting the Secretary of State select on his own responsibility out of a number of persons reported to him as intellectually fit the one that is best qualified; it seems to me hardly safe yet to apply that system to the Diplomatic Service. The system of open competition has not been tried to any considerable extent with regard to the ordinary branches of the Civil Service, and certainly the Diplomatic Service is not the one in which one would like to see the experiment first tried; and therefore if I were called upon to submit a scheme of competitive examination for the Diplomatic Service, it would not be open competition, but limited competition that I would suggest.

3299. In what way would you limit it?—The limitation that had occurred to me as the most obvious and natural was to have a competitive examination at a stated period every year, but to limit as competitors only persons who were nominated either by the existing Secretary of State or by any of his predecessors; I think that in that way you would have a sufficient number of candidates, and you would have the very same guarantee that you have now, that no one came in who did not possess all those nameless qualifications which the Secretary of State is the best judge of.

3300. You would have a limited number of names and limit the nomination to bygone Secretaries of State with the existing Secretary of State?—If all Foreign Secretaries, not only the one for the time being, but also all ex-Foreign Secretaries, had the right of nominating competitors, it would be hardly necessary to fix any limit to the number of competitors; the more you got that had the guarantee of such a recommendation the better.

3301. I suppose you would look upon the nomination of the Secretary of State as a sort of indorsation of those qualities which cannot be ascertained by competition?—Yes.

3302. Have you any experience of anything of that kind actually in work which would at all satisfy the Committee by experience that it would be satisfactory in the result?—I am not aware of anything of the kind actually in operation.

Mr. *T. Walrond.*

3303. Is there any system of perfectly open competition at work now, with regard to any department in the State except the India Civil Service?—The only one in which it is habitually practised is, I believe, our own office, the office of the Civil Service Commission.

3304. What is your experience with respect to that?—Most satisfactory.

3305. These, I suppose, are merely clerks doing ordinary clerical work?—Merely clerks.

3306. Not filling any confidential position, either as regards the matters coming within their knowledge, or as dealing with large sums of money?—The peculiar duties of our office are rather confidential, but I do not know that I could draw any great distinction between our own and any other office in that respect.

3307. How many clerks have you in your office?—About a dozen.

3308. Is there about one vacancy a year?—Hardly that.

3309. Have you a very keen competition?—Yes.

3310. What is the largest number of competitors you have had?—It is rather difficult to say, because a great number put down their names; then we put them through a preliminary examination to see whether they are worth sending in to the competitive trial.

3311. And that chokes off a great many?—Yes.

3312. Can you tell us what is the largest number which has ever been entered into final competition of that kind?—I should think from a dozen to 15.

3313. And is the test very severe; is the scale high?—It certainly is high.

3314. And the result in every respect satisfactory?—In every respect most satisfactory.

3315. Both in respect to general qualities and moral qualities, as well as intellectual ability?—Yes; I have been very much struck, I may say, with the good results in other qualities than those that can be tested by examination.

3316. Do you think that that system stands out signally as superior to the other system, the nomination system, that you have seen so much of in other offices?—I should be sorry to express an opinion on that point, because I have not the same experience of clerks in other offices that I have of the clerks in my own; but the clerks in my own office certainly discharge their duty in a most remarkably satisfactory way.

3317. I will ask you a question in reference to a point sometimes urged against open competition; do you find discontent and dissatisfaction among men under that system, in doing the ordinary duties of a clerk?—No; we have never found that at all.

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3318. You do not get a class of too ambitious men?—No.

3319. As regards that limited amount of experience, as I understand you, the result of the experiment is perfectly satisfactory in every respect?—Yes.

3320. Mr. *Otway.*] What is the process by which you determine who is to come for competition; may anybody inscribe his name?—Yes; we advertise in the papers.

3321. Is the examination severe?—Yes; the severity of an examination of that kind of course depends very much on who likes to come forward. We take the best that come, and certainly the best that come do very well in the examination.

3322. Can you give us shortly any idea of the extreme test to which these clerks are put?—The subjects are not of a very high order; not of such a high order, for instance, as for the diplomatic service; they are more the things that everybody learns at school; but I mean that the candidates who come up show themselves very well taught in those ordinary subjects.

3323. Do you make any inquiries as to the character and previous conduct of the competitors?—Only the ordinary *primâ facie* evidence is required to admit them to competition, and then we make the same inquiries with regard to them that we make with regard to all successful candidates afterwards.

3324. Will you, shortly, state the nature of the inquiries, how far they are pursued with regard to their former education and habits of life?—Every candidate that comes up fills up a certain form, in which he states particulars as to his previous life; if he has been in any sort of employment, he mentions his employer; he names the schools that he has been at, and he names two referees; then the commissioners select out of this list of persons those to whom they think it desirable to write for information about him.

3325. As a rule, you obtain full information of their former life?—I think very full information, far more full than is possessed in general by the head of the department who nominates.

3326. But from your experience, which I believe is very considerable in all matters of education, you still are of opinion that that unlimited competition is not suited for the Diplomatic Service?—I think that ultimately it will be found to be a good plan, even for that service; but what I meant to say was, that at present, until the system of open competition has been more extensively tried, I should hesitate to recommend its adoption in such a very important branch of the service as the diplomatic.

3327. Would not you go the length of saying, that that ought almost to be the last branch of the Civil Service in which that system should be introduced, if it is to be generally introduced?—I think that it is the last.

3328. Sir *C. W. Dilke.*] With reference to the limited system that you have proposed, you did not say what you would do with the candidates after examination; would the first persons upon your list then receive the appointments in order?—That is what I should propose.

3329. Therefore, your plan merely differs from Mr. Grant Duff's plan, by being the exact converse of it; the limitation is at the other end; there is nomination first, followed by competition among those nominated, instead of competition first, followed by nomination amongst the co petitors?—Quite so.

3330. You were asked a question just now Mr. Otway, with regard to the character of t examination in one open competition exa nation of which you were speaking, namely, t in your office; although the number of subje is limited, and the papers do not go very hi in the India Civil Service examination, they exceedingly far, do they not?—Yes.

3331. It is an examination altogether of a ve difficult character?—Yes.

3332. One quite as difficult probably as wou be adopted for the Diplomatic Service, thou different from it?—Yes; so far as examinatio so different in character can be compared, it stan on quite as high a level.

3333. You were asked the other day this que tion in reference to Mr. Grant Duff's plan: " those candidates came up on any public compet tion, the Secretary of State could know nothir about them, could he?" And you answered th you thought that " it would be very unfortuna if, among 12 presented to him as having passe a severe examination for one vacancy, he were n able to find out one about whom he could g tolerable security that he had those qualific tions." You have not seen any reason to modif that opinion, have you?—No, that is my ow opinion, but it is formed somewhat in the dark, be cause there has been so little experience on th subject; and therefore, if asked whether I shoul recommend the adoption of a plan based up that, I should hardly say that I should, becau there are not yet facts, it seems to me, sufficien to substantiate it.

3334. But you would strongly recommend th plan which you have suggested yourself?—think that it would be of the greatest importanc that the element of competition should be intro duced in some shape or other, partly in order t widen the area from which the Diplomatic Servic would be fed, and partly to stimulate the young men who are looking forward to it, to acquire a greater amount than hitherto of the knowledg which may be useful to them in their profession.

3335. Do you adhere to the opinion that it is impossible to keep up the standard without competition in some form?—Practically, I think it is impossible.

3336. Mr. *Rylands.*] With reference to the answer that your plan would widen the area from which the Diplomatic Service could be fed, does it not occur to you that the effect of your plan would be to restrict the nomination of candidates to very much the same class as that from which the present unpaid attachés are nominated by the Foreign Office?—I was not thinking so much of classes; it does not seem to me, from my point of view, that that is a desirable question to import, but I was thinking of ability, that if there are five Secretaries of State nominating, you are more likely to get an able man than if all depends on the one person that the one Secretary of State chances to nominate.

3337. That is to say, that if five Secretaries of State, or ex-Secretaries of State, each nominated five candidates, out of whom five had to be appointed by competitive examination, you would naturally suppose that the five so appointed would be of a better class, probably, than five who might be appointed simply under the nomination and at the will or discretion of the existing Foreign Secretary?—

ary?—I think that you would have a greater ce of getting men of ability.

38. But as a matter of course the five nomi- d by each of the Foreign Secretaries, or ex- ign Secretaries, would naturally be very a of the same class of young men as those are now nominated by the Secretary of State he time being?—I should suppose so.

39. Then, with a view to widen the area, do you think that you might so far modify your with advantage (taking your plan to be pping-stone to ultimately a greater and wider petition) by having, in addition to the nomi- ns of the Foreign Secretaries, and ex-Foreign etaries, nominations from universities, so as to a wider area of class, and to break up to some nt the sameness of character of the nomina- s which would proceed from Foreign Secre- es?—I should not, myself, see any objection aving a nomination given to the heads of the ersities.

340. You would not at all object to present to the Committee as a part of your plan (that say, of course I am suggesting it to you, but ou approve of it you would not object to adopt that in addition to the nominations to be ed in the hands of the Foreign Secretary and Foreign Secretaries, there should also be a cer- number of nominations placed at the disposal he heads of colleges?—I should think that not all a bad plan.

341. You would then have a wider area; it would l be a competition of a very limited character, it would be a much wider and better compe- on, in fact, than a competition which would be tricted to the nominees of Foreign Secretaries ex-Foreign Secretaries?—It would be wider, probably now and then a higher kind of lity might in that way be introduced.

3342. And do not you think that there is her an advantage in that wider character of petition that would be given by this importa- n of a new element into the list from which nominees had to be selected?—It seems to that there are very great advantages in reading the net as wide as possible; but we st always bear in mind the counter considera- n, namely, that there are qualifications re- ired for this service which no examination is ed to test.

3343. I do not wish to weaken what you have d on that subject, but I want to get your ma- re opinion as to whether this addition might t very safely, in your judgment, be made in nnection with the limited competition which u have suggested?—I think it might.

3344. Mr. *Butler-Johnstone.*] "Heads of col- ges" is a very wide term; would you propose t the heads of all the colleges at all the uni- rsities should have an equal right to nominate; re are universities at Oxford and Cambridge, Scotland, and at Dublin; and at Oxford and at mbridge there are a great number of colleges; uld the heads of all of them have an equal ht to nominate, and, if not, what is the prin- le that you would adopt?—I confess that I was inking of the two old English universities.

3345. On what principle would Dublin, Edin- rgh, Glasgow, and St. Andrews be excluded m these nominations to the Diplomatic Service the United Kingdom?—I am afraid that I ould find it very difficult to state any principle which the line could be drawn; and that is one reason that has always stood in the way of any such plan being adopted.

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3346. Mr. *Arthur Russell.*] There would be an annual examination according to your plan?—That is what I should propose.

3347. And candidates who had been successful at the examination would have to wait till vacancies occurred in the Diplomatic Service?—Yes. I understand that at present after passing the examination, every young attaché goes into the Foreign Office, and works there for several months unpaid; and therefore in that respect this scheme would not greatly differ from the present practice.

3348. Mr. *William Cartwright.*] You would make an annual examination, whereas now there are only examinations when there are vacancies?—Yes, there are only examinations now when there are vacancies; but the advantages of an annual examination would be very much greater than perhaps they appear at first sight to any one that is not specially conversant with the subject. There are great advantages to the examining board in being able to make their arrangements, and command the assistance of the best examiners, and it is a great advantage to the candidates if they are able to look forward and know exactly when they are to come up; and I think that everybody gains by it.

3349. On the other hand, would there not be disappointment created in the minds of those candidates who come up year by year to be examined, and for whom no appointments are found?—The number of vacancies might be pretty well calculated beforehand. I do not think that the disappointment would be very great.

3350. Mr. *Sclater-Booth.*] I understand your proposal to be that ex-Foreign Secretaries should nominate jointly with the working Foreign Secretary?—Yes.

3351. Would you be inclined to extend that to ex-Secretaries of the Treasury, nominating to appointments made by the Secretary of the Treasury?—I have not thought of that plan for other departments of the State, because in other departments I think it would be desirable for open competition to exist, that is to say, that any one who likes should offer himself for examination, and that the selection out of those who passed creditably should be left to the head of the department.

3352. Mr. *William Cartwright.*] Would you vest nomination in the ex-Secretaries while they were ex-Secretaries, or would you merely that a nomination made by a man while secretary should hold good after his retirement?—My notion was that any time all the ex-Secretaries of State living at that time should have the right to nominate.

3353. Having once held office that that power of nomination should remain?—Yes.

3354. Mr. *Eastwick.*] Would you approve of the Secretary of State nominating for any office, and his nominees remaining in the list after he had ceased to be Secretary of State?—I think that the other plan would be better, of allowing him to retain the right of nominating after he leaves office.

3355. With reference to the number of colleges at Oxford and Cambridge, and the one of Trinity College, Dublin, and Edinburgh, might not that difficulty be solved by allowing the Chancellors of the Universities to nominate, so

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that there would be one authority nominating at Oxford and Cambridge and at Dublin and Edinburgh?—I suppose that that is the way in which it would be worked if such a plan were adopted.

3356. Sir *C. W. Dilke.*] I suppose that you do not know a case in which a Foreign Secretary did ask for a nomination from Oxford and Cambridge?—Not for the Diplomatic Service.

3357. I mean for the interpreting service in China and Japan, which is semi-diplomatic?—Yes, I believe that has been the practice; officially we know nothing of how nominations have been obtained; but I have understood that Foreign Secretaries have been in the habit of trying to get nominations from the Universities for such appointments.

3358. Mr. *Eastwick.*] You remember, perhaps, that Lord Palmerston and Lord Aberdeen did give diplomatic appointments to Oxford and Cambridge?—No, I was not aware of that.

3359. Mr. *William Lowther.*] From your knowledge of Oxford, do you think that there are many men who take a tolerable degree who would care to go into the Diplomatic Service?—I have known several Oxford men who have got tolerably good degrees who have gone into the Diplomatic Service.

3360. What do you call a tolerably good degree?—I was thinking of second class at the moment.

3361. In the Diplomatic Service, who is there that has taken a second class?—The one that I was thinking of at the moment was Mr. Morier; Mr. Dillon too was at Oxford, and I think he got a second class.

3362. I think Mr. Morier did not go straight from the university to diplomacy?—No.

3363. Do you recollect what interval of time elapsed in his case?—No.

3364. Mr. *Butler-Johnstone.*] You may lay your net as wide as you like, but you must catch what you can; you will not get very many of the best men at Oxford to compete for the Diplomatic Service or the Civil Service generally, will you?—It was only of the Diplomatic Service that I was speaking; I think that for the ordinary home Civil Service you could hardly expect it.

3365. Mr. *Eastwick.*] I think you are forgetting Mr. Palgrave, who took a first class?—He took a double first, if I remember right; I had forgotten that he had a regular appointment.

3366. Mr. *Rylands.*] In reference to the heads of colleges nominating, my object really was to ask in reference to nominations from the universities; and I had running in my mind that heads of colleges would no doubt have a voice in recommending certain young men who had come under their notice; but I will put it in this way; I understand that you would think it a good plan of limiting competition that the Foreign Secretary for the time being should have the right of nominating a certain number of candidates, and that the ex-Secretaries (at the present moment Lord Malmesbury, and Lord Russell, and Lord Derby) should all have an equal right of nominating candidates; and then, in addition to that, would you not think it a desirable plan that the lists should be increased by nominations from the various universities (I do not wish to exclude any of the universities) through the acting heads of universities, the vice-chancellor in some cases, and I suppose different officials in other cases; would not that furnish a desirable opportunit applying the principle of competitive exam tion to the appointments to the Diplomatic vice?—If the heads of the two universities which alone I know anything, namely, Ox and Cambridge, were called upon whene there was a competition to select and send one or two men to compete, I should have great confidence that they would be good m and worthy of joining the Diplomatic Serv and that probably they would be at least equa ability to the other competitors; but whet that is a scheme that could be worked harm ously, is a question that I should not like pronounce upon.

3367. Mr. *Otway.*] Would you apply t scheme also to the university itself; would not be desirable that the Secretary of St should nominate a certain number of curates compete for any living that the university hac its disposal, if the plan is good in the other ca —The whole idea of the appointment to situation in the Civil Service being a matter patronage at the disposal of the Secretary State, or any one else, has always appeared to an unsound one. The real thing is, that whoe has the appointment to make, ought to try to the best man that he can get; and if he we assisted in doing so by the universities, I thi he ought rather to be grateful to them than ask for one of their curacies to give in exchan

3368. But why should not that system also good, and even in a greater degree, for the u versities themselves; why should not the head the university be grateful to the Secretary State if he knew a hardworking and deservi curate from the neighbourhood of Golden-la say, or anywhere else in London, and suggest to the university that that curate should compe for one of the best livings in their gift?—W are getting on ground on which it is a litt difficult to talk, because the universities hav you may say, no livings in their gift; the c leges have, but the universities as universiti have nothing to do with ecclesiastical patronag with the exception of course of livings th lapse to them owing to their being in the han of Romanists.

3369. If the system is to be applied to on branch of the service, and if the Secretary State is to give up a portion of his patronag on the recommendation of any corporate body individual, may you not equally apply that to th corporate body or individual giving up a portio of their patronage to the Secretary of State?— My view is that the sooner the whole idea patronage, in that sense, at the universities an elsewhere is abolished, the better.

3370. Mr. *Butler-Johnstone.*] The head of th University of Oxford or Cambridge generall being a distinguished statesman (Lord Salisbury for example, being now the Chancellor of Oxford giving him patronage is but giving patronag in another form to a Secretary of State, is i not?—It would be so if he chose to exercise it a such.

3371. But if the Secretary of State choose to exercise it in the right way, it does not muc matter who the individual is who has the patron age; and whether you give it to one Secretary of State or another it makes no great differenc in practice?—No.

3372. Mr. *Rylands.*] Did you understand from my

question that I was proposing to give to the ncellors of the universities the nomination of se candidates for competitive examination?— say the truth I had no very distinct idea of it was proposed to work that plan; if it re made a matter of right and regulation that University of Oxford should nominate, I pose it can hardly be doubted that the Chan- or would have the right to exercise that ination; but as a matter of practice I have y little doubt that he would leave it as those gs generally are left, in the hands of the -chancellor.

3373. And that, in fact, the nomination would of the character recommended by the dis- guished men who are actively engaged in the cation of the universities?—I should sup- e so.

3374. I understood you, in recommending your n, not to have any view in relation to the dis- ution of public patronage, bnt that you were ing us your opinion with a view to promote efficiency of the public service?—Entirely.

3375. And the opinion that you have given is, t by such a course as that suggested, of limited petition, the public service would be bene- d, although some small patronage on the part he Foreign Secretary might be withdrawn?— ite so.

3376. Mr. *Butler-Johnstone.*] With reference he amended form of Mr. Rylands' question, I uld ask whether the vice chancellor of an versity, being the head of a college also, as head of Pembroke, for example, may be Vice ancellor of Oxford, is likely to know much of moral character and ability of a young man Oriel or Christ Church; is he not, with the best entions, likely to exercise his patronage for the antage of the young men of his own college? think less so now than in former times.

3377. But he is not likely to know the young n at Christ Church, is he?—When one speaks a certain appointment to be made from the ole university, I think one has in view that men who would be spoken of in connection h that appointment would probably be men o are well known in the university, known to ers besides those of their own college.

3378. And do you think that in the practical rking of the system the vice chancellor would sult the heads of colleges as to the young n most qualified to fill such vacancies?—I uld think so.

3379. And you would not think it likely that e knew a young man at his own college who med qualified for it, he would give it up to n?—I should hope not; I think he would be s likely to do so now than 20 years ago.

3380. Mr. *F. Walpole.*] Or less likely than Secretary of State?—Yes, because I con- ve that he would feel that he was acting for orporate body and should act as their repre- ntative.

3381. Mr. *W. H. Gladstone.*] He might, very ely, look to the law and modern history school the man?—Yes.

3382. Mr. *Butler-Johnstone.*] Does it not all pend on the man and not on the system; that, fact, a good vice chancellor will make good pointments, and a bad one bad ones; and that good Secretary of State will make good ap- intments, and a bad one bad ones?—That is so, it is left all to one individual; and that is one

reason why it seemed to me desirable that a number of individuals should be concerned.

3383. Mr. *W. H. Gladstone.*] Would a person who had passed the examination and failed to get a nomination that year have to go in for examination next year again?—My notion was that the competition should take place each year.

3384. So that he would have to go in again?—Yes.

3385. You do not think that that would be a hardship?—Supposing that the average number of vacancies in the year were two, it would be easy to select at each annual examination the two best, and then keep the two next vacancies for them.

3386. With reference to the first examination now, do you expect some knowledge of German?—Knowledge of the grammar of Germany is required.

3387. That is not sufficient to enable an attaché who goes to a German mission to translate?—No.

3388. Do not you think that that is a defect?—Yes, certainly.

3389. Did not you say, on the last occasion when you were here, that it was a very long time since you had had a second examination?—Yes.

3390. Is that usual or unusual?—I do not remember any time when there has been so long an interval as recently.

3391. To what do you attribute it?—I suppose that it is partly owing to the number of appointments which were understood to have been suppressed, owing to the suppression of different courts in Germany; but it may have been purely accidental, because when an attaché is appointed to be third secretary, I understand the practice is not to force him to come back at once to be examined, but to wait till a convenient opportunity occurs.

3392. Have you any reason to believe that the fact of the second examination being severe deters people from prosecuting their diplomatic career?—I have not had any reason to think that; at the same time, if I might be allowed to say so, it has always seemed to me that it would be a very great advantage if that second examination were brought a great deal nearer than it is to the first examination; it hangs over the heads of men after they have got into the practical work of their profession, and I have certainly heard some of them say that they regard it as an incubus which they would be glad to get rid of; and it would be (speaking from an examiner's point of view) much more satisfactory if the second examination were nearer to the first; it is rather hard for an examining board to be called upon to pronounce by examination whether a young man is or is not fit for the duties of his situation, after he has been performing the duties of that situation for a good many years.

3393. Mr. *Sclater-Booth.*] May you not even go further, and say that the examiner might be quite wrong in the view he would take?—I think it quite possible.

3394. Mr. *Eastwick.*] If you had a very high examination for the people whom you seem to expect to bring into the service, might you not dispense with the second examination altogether?—Some of the subjects required for the diplomatic service are rather peculiar, and out of the line of young men's ordinary reading, as for instance, international law and political economy,

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which are hardly studied widely, even at the universities; and on that ground, I suppose, it is that those subjects have been separated from the first examination; but it has always seemed to me that if the second examination came six months after the first that would be an ample interval, and I should not myself see any great objection to the two examinations being passed together.

3395. But men who had taken a degree in honours at the university would be quite able, I suppose, in the course of a year or two years after leaving the university, to satisfy any examiner in those extra subjects?—Certainly.

3396. Viscount *Barrington.*] I think you stated, in answer to Mr. Sclater-Booth just now, that you were not prepared to recommend your system of competition for other branches of the Civil Service?— Of limited competition I am not, because it seems to me that with regard to the ordinary branches of the Civil Service, the system of open competition is so infinitely preferable.

3397. Then may the Committee from that take it as your decided opinion that there is something superior in the nature of the duties of diplomatic servants that would make it very much better that they should be selected by the Foreign Secretary and ex-Foreign Secretaries?—Certainly, as an immediate measure; whether ultimately the plan of open competition, after it had been tried and found satisfactory in the other branches of the Civil Service, might not be applicable also to the diplomatic service, is a different question.

3398. Mr. *Butler-Johnstone.*] What is the peculiar character of the Diplomatic Service that takes it out of the category of the other services; what are those points which differentiate it from the other services?—It is very difficult to state shortly, because it would require one to epitomise all the duties of a diplomatist; but I think every one feels that the duties of an attaché at a foreign court are very different indeed from those of a clerk in a Government office, and require very different qualifications.

3399. In other words, the importance of the diplomatic service differentiates it from the other services?—There are many services that are important.

3400. But its complicated importance is its peculiarity?—The complicated importance and the peculiar nature of the duties before its members.

3401. The difference is more in degree, than in kind?—In kind also.

3402. Then the objections which apply to open competition for the Diplomatic Service would in a less degree apply also to the other services, though in perhaps so much smaller a degree as to constitute the whole difference?—Quite so.

3403. Sir *C. W. Dilke.*] Do not you think that, as applied to the other branches of the public service, the advantages of the system of open competition would more than counterbalance its disadvantages?—Certainly.

Thursday, 26th May 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Butler-Johnstone.
Mr. W. Cartwright.
Sir Charles W. Dilke.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable GEORGE WILLIAM FREDERICK Earl of CLARENDON, K.G., G.C.B. (attending by Permission of the House of Lords); Examined.

3404. *Chairman.*] YOUR Lordship is Secre- of State for Foreign Affairs?—I am.

3405. This is not the first time that your dship has held that office?—It is not.

3406. Can you tell us how many years you e served Her Majesty in that capacity?—I Secretary of State for Foreign Affairs from 21st of February 1853 till the 26th of Fe- ary 1858, making five years; again from the of November 1865 to the 5th of July 1866; from the 9th of December 1868 up to the sent time. I have therefore, up to the pre- t time, been Foreign Secretary, at different iods, for seven years.

3407. I believe that your Lordship com- nced your public career in the diplomatic vice?—I did.

3408. And went through the various grades it?—I was attaché at St. Petersburg for ee years, and afterwards I was minister at drid.

3409. Were you ever secretary of legation? No.

3410. How long were you minister at Madrid? For nearly six years from 1833.

3411. So that you are acquainted with the fession from the Foreign Office point of view, from the foreign service point of view also? think so; and I think I have derived great antage from having actually been in the vice before I became Foreign Minister.

3412. You know the details of the working foreign missions?—I think I do, and that that great advantage to me.

3413. What is your opinion of the present tem of admission into the service; do you nk it a satisfactory one, or have you any sug- tion which you could make for its improve- nt?—With respect to the examination, I nk that the present system is a good one. I ould not like to make the service entirely en; but I think that the present system of npetitive examination between three indivi- als, any one of whom the Secretary of State might be glad to see employed, is a good system, and I think that the public thereby get as good a servant as they can obtain.

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3414. You are speaking now of admission to the Foreign Office by competition?—Yes.

3415. But the admission into the diplomatic service is by a pass examination?—Yes.

3416. Should you be disposed to extend the limited competition which exists in the Foreign Office to the diplomatic service?—I see no objection to it, but I do not see any reason for it.

3417. You are satisfied with the quality of the men you get under the present system?—I am, as I think it works very well. If any improvement occurred to me, I should adopt it or suggest it to the Committee.

3418. Was it not your Lordship who established the system of examinations originally?—With regard to the examinations in the Foreign Office, I suggested that there should be three competitors, any one of whom the Secretary of State might be glad, at all events not sorry, to see in the service, and that the best of those three should obtain the vacant office.

3419. Do you find that there is as much pressure to get employment in the diplomatic service as there is to get employment in the Foreign Office at home?—No, I do not think there is.

3420. Lord Derby told us that he thought there was a marked difference in the desire to get into the diplomatic service; that is in accordance with your experience too?—Yes, quite so; and the service is so very expensive that I should not recommend any parent of a young man appointed to be an attaché to allow him less than 400 *l.* a year for the first three years that he is unpaid; afterwards, of course the 150 *l.* a year that he gets would be a deduction from it. Living abroad is now very costly indeed.

3421. We have been led to understand that till a diplomatic servant reaches the higher

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grades of employment, a great part of the expense is out of his own pocket?—Certainly.

3422. And that it is the temptation of distinction, and the chance of rising to that higher employment, which induces gentlemen of means to enter into the service?—I cannot exactly state what their motives may be; that may be one; but it is certainly, for the junior branches of the profession, in the early days of their career, a very expensive thing. There are one or two courts to which we have great difficulty in finding anybody to go, because the 400*l.* a year that I indicated just now is really not sufficient for them there.

3423. The answers to the circulars addressed by your Lordship to Her Majesty's ministers abroad convey a general impression of universal complaint, at all events among those in the lower grades, that the salaries are inadequate?—I cannot wonder at it.

3424. You think that those complaints are well founded?—I do indeed.

3425. Carrying back your recollection to the time when you were a diplomatic servant in one of the lower grades, do you think that the same ground for complaint existed then as now?—I can scarcely say, for I was lodged and fed in the ambassador's house, which of course makes a very great difference, especially in such a place as St. Petersburg.

3426. You were with him as one of his family?—Yes.

3427. That was more the system in old times than now?—Yes; it is not the system now, I believe, in consequence of the increased cost of living.

3428. Were the attachés at that time at all personally selected by the ambassadors and ministers abroad?—No; they were selected by the Secretary of State at home.

3429. The old practice of all was that they were the personal friends of the minister, was it not?—Yes, and there was no restriction of the number; we used to have five or six attachés to an embassy; they did not, of course, all live at the ambassador's expense, but there was no check upon the Secretary of State on the number that he liked to appoint.

3430. Many young gentlemen who liked to see a little business in public life, after a few years returned home, and did not pursue it as a profession?—That was so; and now the gentlemen who enter it intend to pursue it as a profession.

3431. It has become now a profession?—Yes; the examinations tend to that. A man does not prepare himself first for the first examination and then for the second examination, without intending to pursue the profession.

3432. Should you be disposed to retain the system of second examinations, as it is now, for these gentlemen; we have had a suggestion that it might be desirable to have one examination after a certain interval of service, which should be a pretty stiff one, instead of two examinations; has that been suggested to you?—That has been suggested to me, and there are a great many opinions for and against it. I think that if you were to subject a young man of 19 or 20 to a very severe examination upon entering into the service, you would be requiring almost more from him than he could give you. It is pretty severe as it is, judging from the number of persons who do not pass. I think also that the second examination may be necessar but even that has its disadvantages, because i man spends four or five years in service abro and gives his attention to the business of h mission, particularly if it is an important missi where there is much to do, he cannot keep that sort of knowledge that would be required the second examination; and yet I am not prepar to say that the two examinations would not better than a very severe one at first.

3433. Does your Lordship attach much weig to examinations of men who, to a certain exte have embarked in a practical career in life; do you think that the actual experience of affa and the results shown of a man's own powers the work of an office are a better test of wh he is capable of?—I think that that is a very i portant question, and I should say that, for t diplomatic service, I should rely more upon t knowledge that a man acquires at an embas and legation than upon the second examinatio Providing that he is an intelligent man (a that I should consider to have been tested by h first examination), I should not attach such ve great importance to the second examination. think that the fact that he acquires a lar amount of practical information (I suppose h to be a capable man), the reports that he is r quired to make and the studies that he mu pursue in the service, render a second exam nation not so necessary as might be supposed.

3434. Then I gather that you do not attac such very great value to the second examinatio —Not very great value; I have no objection it; I think that possibly the public might be i disposed to dispense with that examination; a I do not object to it providing that it is not mad too severe; when I say too severe, I mean travel ing into subjects that are not likely to be essenti or useful to the man in the profession.

3435. Not germain to his pursuits?—Not ge main to his pursuits.

3436. We have heard something, I may say good deal, of the slowness of promotion in th service now; that is the case, I suppose?—The is no doubt about it.

3437. There is almost a stoppage of the rise t the higher ranks?—I must certainly say that i is a stagnant profession. In the first place it seems to be a very wholesome profession, becaus nobody dies; and, in the second place, it mus be a pleasant profession, because nobody resigns and therefore there is a good deal of stagnation It is thought, at least I have heard that i is considered, that there is a great deal o stagnation in consequence of the number of at tachés appointed. Now I think that that is a error. I have had a note taken of what the number of unpaid attachés has been, and I find that in 1853 there were 28, in 1861 there were 44, and there are now 14. Since I came into office, which is nearly eighteen months ago, I have appointed seven; not because I desired to exercise patronage, for every friend of mine I recommend not to put his son into the diplomatic profession. The period of time which must elapse before an attaché can go abroad is nine months; three months in preparing for the examination, and six months in the Foreign Office; and I do not think that six months in the Foreign Office, spent in seeing all the varieties of business to be seen there, is more than is necessary. And then it must be remembered that in the examinations a man often fails. Many circumstances

umstances besides ignorance may contribute at; and I think it is almost an invariable tice that a man who has failed should have ther examination. Three months are again in that case before he can have any cer- ty of getting an appointment; it is there- almost necessary to have, if I may use expression, a stock in hand of attachés who qualified themselves and who are fit for ling on service; and although I have ap- ted seven, which may appear to be a great ber in eighteen months, it has only been to ply the urgent requests of the different mis- s, which have been short-handed. I may the instance of this recent unfortunate case Greece. The secretary had been removed to ther place, his successor had not yet arrived, r Mr. Herbert had been captured, Mr. Watson secretary of legation was still at Constanti- le, and during the first three days of that ancholy occurrence Mr. Erskine was entirely e to do everything, to cipher and decipher. d I cannot give the Committee a better idea what must have been the nature of his em- yment than by stating that some of his de- tches, although they were deciphered by some he ablest men in the Foreign Office (and I pose there can be no better decipherers any- ere), took four or five hours to decipher. Mr. kine had not only to decipher, but to cipher, he was entirely alone, owing to the secretary egation not having arrived. I say that for h cases it is necessary to have what I may a stock in hand; and Mr. Erskine being en- ly alone, a gentleman who had just completed period of service in the Foreign Office, a son Lord Napier's, was sent out to assist him.

3438. Then I gather that you do not think t the subordinate staff, generally speaking, of diplomatic service could be very well re- ed?—Indeed I do not think it could. Nobody uld be more ready than myself to reduce them thought it could be usefully done. I am ays looking out to see how reductions can be de, because I do not think that judicious re- tions in the least impairs the efficiency of the vice. I might mention that in the consular vice, which is partly connected with the diplo- tic service, the savings that I have been bled to effect are nearer 6,000*l.* than 5,000*l.* ear; many consulates have been reduced, and ave entirely given up all patronage of my n, in order that the persons who are turned of these consulates for which there does not ear to be absolute necessity, should fill the ancies as they arose. In the Foreign Office, ce I came back to it 18 months ago, there has en only one vacancy, which I have not filled I merely mention these cases in order to e the Committee an assurance that whenever ee an opportunity for economy I avail myself it, and that if I thought that the staff of the ssions could, with utility for the public service, reduced, I would not wait for a recommenda- n of the Committee to reduce it.

3439. We have had it suggested to us that re might be more economy, and also an increase efficiency in the service, if the heads of the gher missions had a private secretary, who was t permanently in the diplomatic service, but s always present, and would assist the head dispatching confidential business; is that a actical suggestion of any value, in your opinion? I ought to say that it is a practical suggestion, 0.51. because when I was appointed at Madrid, at a time when there was a good deal of work doing, I did take out a friend of my own to act as private secretary, who became so efficient that Lord Palmerston afterwards appointed him minister at Rio. But I do not see the absolute necessity of adopting that plan. I think it quite necessary that the head of a mission should be able to avail himself of the services, in that sort of capacity, of some person attached to the mission. For instance, it is quite impossible that he should copy his own letters, and see all the people who call upon him; and in a legation where the business is active and heavy you cannot expect that the minister should be able to do all that for himself. I paid my private secretary, Mr. Southern, who died as minister at Rio, out of my own pocket; I think that you cannot expect a minister to do that. I think that he ought to have that sort of assistance that really is necessary for the prompt and punctual transaction of business, and that he ought not to pay it out of his own pocket. I think it is a very fair assistance to get from the staff of the legation or embassy, but it is also a reason why you cannot make the staff of these legations much lower than it is. Of course, in former times, when the diplomatic service was not a regular profession, and when the Secretary of State could appoint just as many persons as he pleased, and anybody that liked to go to Paris or Florence was appointed an attaché, it was a different thing, but now that only the number of attachés or secretaries are appointed that is thought to be necessary, if one of the gentlemen attached to the mission is employed by the minister for the necessary business of the mission, it is another reason for not reducing the staff. Moreover, the secretaries of legation, as you are well aware, are employed in making reports every year upon any important subjects that they take up in the country where they are resident (they are generally commercial reports, and sometimes they are of a social and industrial character), which I think have proved extremely useful, but which take up a great deal of the time of a secretary of legation; and a secretary of legation or embassy cannot be expected to do the mere drudgery of the chancellerie work.

3440. Have there been complaints with respect to secretaries of legation, that their time was too much devoted to that work instead of the usual business of the mission?—I do not think I ever heard any complaint. It does not signify what amount of work is put upon them; I have never heard any complaint, or observed anything but a spirit of willingness to do whatever was required of them. Last summer, knowing that the Irish Land measure was to be brought on this year, I, in conjunction with others, persons most interested in the land question, framed a series of questions which I dare say the Committee are well aware of, which were sent to every country from which I thought that light could be thrown upon the subject that was to engage public attention this year. I sent those questions out to the secretaries of legation; I did not inquire whether one secretary of legation was competent, or whether the other secretary of legation was competent; I reckoned that they would be so; and I think that the result has fully justified the confidence which I felt; I think that the Land Tenure Reports are very instructive and satisfactory, and a great addition

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to our industrial literature. I do not believe that all the chambers of commerce in this country combined, or any other machinery that could have been devised, would have been able to command the means or the ability of producing such reports as those. And with reference to the Industrial Reports I may say that I have received from the chambers of commerce of the manufacturing districts the thanks of those communities for the information which those reports have given, and for the light that is thrown by them upon the question where British industry might be most conveniently carried; I say I do not believe that you could have got that by any other machinery. I may state to the Committee tbat I inquired about what the cost of those reports was; I cannot yet tell the cost of the reports about the industrial classes, but the whole of those Land Tenure Reports, which I think will be satisfactory to those who have read them, supplying as they do a great deal of information upon that important question throughout the Continent, have cost the country but 186*l.* 4*s.* I do not think that you could have got the thing done by any other means, certainly not as well done; and knowing that this Committee was to sit this year, I must say that those reports gave me very great satisfaction, because I thought that they would afford the best and the most practical answer to that sort of stigma which has been thrown upon the diplomatic body generally. I believe that that stigma mainly results from ignorance of what is the real nature and what are the real duties of the diplomatic body; and therefore it was with infinite pleasure that I heard of the appointment of this Committee, considering it the only way in which evidence as to the realities of the profession could be brought out, and what I thought justice done to it.

3441. I rather think that those reports were first instituted by your Lordship?—The original reports were.

3442. And the result has been highly satisfactory to you, as I understand?—It has been highly satisfactory to me, and I am sure that those reports have been highly useful to the mercantile community; they could have got the same knowledge from nowhere else. Each secretary of legation takes up a particular subject, say wine in Portugal, cotton spinning in Switzerland or in Germany, or in other countries where they enter into active competition with us, and so on. I say that there are no other means by which information, which it is essential to our own manufacturing interests to have, could be as readily obtained.

3443. I rather gather from what you say that you think that the diplomatic service more than makes a return to the public for its pay by that kind of information?—It is really not because I am connected with it that I say so, but I do think that they are valuable public servants; I think that they perfectly earn their keep, so to speak. I can assure the Committee that if at any time I thought that any economies could be introduced in respect to the diplomatic service, I should be the first person to introduce them; but I do not think that by stretching that desire for economy very far, you secure the efficiency of the service. I think that the sort of stigma that has been thrown upon the diplomatic service, and the sort of general disposition that there has been on the part of the public and the press, resulting, simply, from want of inform tion, has been (I must say naturally) very c couraging to the members of the diploma body, and I think they will be just as well sat fied as I am that the realities of their serv and of their work should be brought out much the best way in which they can be brou out, the only way that we in England c about, namely, by examination before an i partial Committee; and therefore the appoi ment of this Committee was to me a matter sincere satisfaction.

3444. You think that they are moderate paid, hard worked, and very useful; may I su up your evidence in that way?—I think so. am certain that they are moderately paid, b cause I know that the generality of them ca not meet their expenses from their pay. W all know that both at home and abroad the c of living has been very much increased in lat times. I can speak from my own experien when I was in Spain; I was there for a peri of nearly six years. I do not mean to say th there were not then exceptional circumstanc which rendered living rather expensive there; was expensive then because it was in the time a civil war. I kept my accounts pretty acc rately, and each year I spent 1,000*l.* more th my income from the service, so that I came ba from Spain exactly 6,000*l.* poorer than I we to it.

3445. And being a bachelor at that time?—Yes, I did not make any complaint as to th amount of the salary; that was the salary allott to the place. There were certain duties of ho pitality which I had to discharge, and the cost living was, I admit, increased by the civil wa but that was the result of my banker's book, th I was 6,000*l.* poorer at the end of the time tha at the beginning.

3446. Is the pay the same now for the minist at Madrid as it was then?—I believe it is; an you must take the fact into consideration th except at places where the missions have bee changed into embassies the salaries are nearl the same now as they were 50 years ago. Ther are not many of the Committee who can r member the state of things 50 years ago, bu those who cannot must know how very much th cost of living has increased everywhere since th time; and even those countries that used to b economical, and where people used to go wit their families for purposes of saving, are entirel altered now in that respect, and are becomin extremely expensive.

3447. There is one incidental question whic has been raised here about the leave of absenc of the heads of missions; we have had state ments made that the rule of not being allowe to run two years' leave of absence into on operates hardly on those who come from a dis tance, and might with advantage be altered have you considered that subject?—Yes, I hav considered it, and I think that in the case o those who come from a distance (and there ar many who do) it is hard that they should no have more leave, or that they should not hav more leave without being mulcted so severely a they now are. I know that many persons in th profession and in the Foreign Office too, think that they ought not to be allowed to run the tw years' leave into one; that is to say, to take th last two months of a year and run them into th first two months of the following year. I canno

hat I see any great inconvenience in that. a always sorry when the head of a mission sent from his post; but you must make ances; there must be leave of absence, and must be considerations of health: and ink it very desirable indeed that anybody is employed in the diplomatic service, pararly in the higher branches of it, should not o long absent from England. I think that hould come and be *retrempé*, if I may use an expression, in constitutional ideas and in abits of this country; I think that it is usefor the man himself, and also for the position hich he is placed.

48. For the sake of the public it is desirable think that there should be proper facilities n for his returning home periodically?—Yes, ink so. If a man has been four or five years ad, living always in the same place, running round of the same ideas, it is impossible that man should not become rusty, and compel him to become rusty if you do not him facilities for leave of absence. And it be remembered that many of our ministers uen of very small means, and generally small ns are accompanied with large families, and makes their taking their leave a subject of serious consideration to them, and renders it rable that they should be able in certain cases ave two years' leave in one. I know that I expressing an opinion which is not shared by y persons; but I do not see an objection to r running two years' leave into one. Cerly there is now a heavy fine upon them when take that which it is essential that they ld have, namely, a certain time to come back refresh themselves with constitutional ons.

449. Mr. *Rylands.*] Your Lordship was tioning, in reference to the nomination of aid attachés, that you considered that the em worked perfectly well. Still the fact is, esume, that the nomination depending upon will of the Foreign Secretary, there is a conrable amount of pressure for the patronage ch so rests in the Foreign Secretary's hands? could not say that there is a great deal of ssure; I think that people are beginning to a little afraid of the diplomatic service, ause of the very great expense that it entails. ink that the fact that if you put your son in diplomatic profession, as a profession in which expect him to earn his bread, you are iged to start him for the first three or four rs with 400*l.* a year out of your own pocket, kes a good many parents hesitate before they ide to embark their sons in that way. Of rse there are a good many who apply, and list is a tolerably long one at this moment; I cannot say that there is any very great ssure to get into the diplomatic service.

450. Still there are a considerable number of olications for admission into it, are there not? have been back in the office for nearly 18 nths, and I have had during that time a good ny applications, but I cannot say that there is very great pressure to enter the diplomatic vice. There is more pressure for the entry into Foreign Office; that is home employment, and t immediately makes some return, though not rge one. I am endeavouring to make every nomy that I can with due regard to effincy, and I may tell the Committee, in gene terms, that in regard to consulates, and other posts, I have made a saving of nearer 6,000*l.* than 5,000*l.* a year. I think that the average number of vacancies in the Foreign Office is hardly three in two years, and there has been only one vacancy since I returned to the office, and that I did not fill up.

3451. Does your Lordship think it a desirable course to have unpaid officers connected with the diplomatic service?—To tell you the truth, I do not like unpaid service at all. I think that gratuitous service is never as good as that which is paid, and where, in return for the payment, the public has a right to expect efficient service. I can only say that at present, as the system now exists, it is a great improvement upon what it was formerly, when a man used to be 10 or 12 years an unpaid attaché, and that not counting for his pension. If I remember right, I think that the alteration which is now in force, and which is beneficial to a certain extent, by which a man is now only about three or four years serving the country at the expense of his friends, was the result of the recommendation of a Committee of the House of Commons.

3452. I suppose you would consider that if an arrangement were made, under which the services of attachés were paid, then it would be a proper course to take to open to wider competition the appointments to the diplomatic service?—I could not say that. I think that the diplomatic service is a very peculiar one, and you must look to a little more than a man's mere knowledge of French or German; you must look to his complete respectability and to his fitness for forming a member of the minister's family; that is what an attaché ought, at all events, to be fit for for. I do not see that there would be any more advantage in open competition than there is under the present system. There is not the least distinction now of classes or otherwise. Anybody that wishes his son to enter the diplomatic profession will not meet with any difficulties of that nature; but I think that if you had open competition you would be liable to lower the standard which you want in the diplomatic service.

3453. Practically we have found from the evidence presented before the Committee that the nominations are very much within a certain class of society; those who have aristocratic connections or who are wealthy?—Those are the only people who wish their sons to enter the diplomatic service. Those who are not either in what are called the upper classes or wealthy do not wish their sons to enter into a profession in which the best years of their life, from 20 to 24 and 25, and going on to 30, will be spent without any remuneration. It is by no means attractive to persons, except those who are wealthy, or who take it up as a necessary occupation for young men who wish to see something of good society.

3454. I was supposing that an alteration were made by which remuneration would be given to those who at present have no remuneration; would not your Lordship think that in that case it might be desirable so to change the mode of entrance into the profession as to give a wider scope to the classes who might be disposed to take advantage of it?—There is a great deal to be considered on that point. You want for the diplomatic service a particular class of man. You know it is, after all, a very limited profession, and the tendency is to reduce it still more; but what you do want is a class of man who has been accustomed to the good society ("good society"

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is a general term, but my meaning will be understood by the Committee) of this country, and who would be immediately fit to mix in the good society of the country to which he is sent. I do not think that you could have security for that with open competition. Of course open competition would mean making it open to the whole world, and I do not think that under that system you would get the sort of man that we have hitherto had and that we have found to succeed in the profession. I think that it would lower the stamp of the service, and that we should feel the effects of that in the countries to which these persons were sent.

3455. A suggestion thrown out by Mr. Walrond the other day was, that a certain number should be named by the Secretary and the Ex-Secretaries of State, and he adopted a suggestion of mine that a certain number should be named by the heads of universities; that the nominees should then be presented for a limited competition, and that out of that number the Foreign Secretary should select for appointment; that is a mode of limiting competition; does your Lordship see any objection to that?—No, I do not know that I see any particular objection to it, but I do not see the smallest advantage in it. I think that you have a system now which works just as well as that would work, and unless you can point out any patent evils arising from the system as it exists now, I should be unwilling to change it. I do not think that you would get any better men by throwing the responsibility off the Foreign Secretary as you would if that system which you suggest were adopted. To show that I have no objection to that sort of origin of appointment, if I may so express myself, I may state that when I have had an opportunity of appointing student interpreters, for instance, in Japan and China, I have addressed myself to the universities, and every now and then they have sent me some very good men, particularly from Ireland. Being Chancellor of the Queen's University in Ireland (I do not mean that I gave them any undue preference for that reason) I was glad of an opportunity to give a studentship to any of those who came from that university. I do not say that that has answered ill, but a student interpreter who goes to China or Japan to study the language, or to qualify himself for a consulate, is a different person from a person that you want to begin with as an attaché to be an inmate of a minister's house, to be employed in confidential service, and, in short, for all those requirements of the diplomatic profession that I should not like to throw open to the whole world. Speaking as the Secretary of State, and as the head of the Foreign Office, I should rather prefer being myself personally responsible for every appointment, and blamable for every appointment that was made and did not answer the requirements of the public service, to having it left open to me to be able to shake off from myself all the responsibility on the ground that the persons had come into the service by competitive examination.

3456. Passing from the examination of the attachés, and proceeding to the position of the under secretaries of legation, I suppose we are correctly informed that progress in their profession depends upon seniority, and that if there is no very gross case of impropriety or inefficiency, practically there is no reward for any extraordinary ability on the part of the subordi of missions?—I think you have stated the very correctly. Now that diplomacy is a re profession, and you require men to qualify f and put them through a severe examination, acquire certain rights in the profession, unless you can show that some one man is eminently fit for a post, I think that the a tion of seniority is the only way by which can inspire a feeling in the service that they dealt with fairly. That, of course, makes advance very slow. I cannot but consider profession as a stagnant one; I do not say other professions are not also stagnant, b think that the diplomatic service is much so.

3457. Assuming that there is a block, w has been acknowledged by many witnesses fore this Committee, does it arise from the n ber of juniors being so large in proportion to number of the highest appointments in the fession?—The same thing might be said of military profession; there is a great disproportion between ensigns and generals. But, r ring to that memorandum which I just now r I may observe that there are no juniors, attachés appointed except where it is absolu necessary to fill up the staffs of the missi The staffs of the missions, to the best of knowledge (and if I thought otherwise t should be reduced), are not more than suffic to perform the business of the office, and to g that sort of necessary leave and allowance sickness that you must have in every establ ment. I know that if ever an attaché is abs or promoted to any other appointment, there v soon comes from the head of the mission earnest request that the place may be filled I really do not think that the establishmen over-manned.

3458. But this stagnation of which you sp must, as a matter of course, very much dest the energy of the members of the profession No doubt.

3459. A system which offers so little expec tion for the future must, in the very nature things, be an unfortunate system?—Yes; but wh I may ask, do you think of a midshipman in navy?

3460. My object is not at all to point at a undue exercise of patronage in any way, but lead to this question, whether, as the block ari from the number of juniors in the line of pron tion, if a system were adopted which wo lessen materially the number of juniors in t line of promotion by providing at every one the missions an officer not in the line of pron tion, who would take off a large amount of t ordinary routine work of the legation, that mig not assist very materially in removing the blo in the service?—Of course, if there were few young men appointed as attachés, the block the way of promotion would be lessened. B the means which you propose, I think, would extremely doubtful; because, in that case, y must appoint a man who would be considere merely devoted to the drudgery of the legatio a sort of pariah, to whom certain work could confided, and who would not be in reality part the legation, because the very work that you gi him establishes his inferiority. I think that th would be a very objectionable mode of carryi on the business. You would always have to considering what might be confided to that m

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what might not. He would be a man placed e by the hypothesis without expecting pro- on; he would merely be established there as onary to do the drudgery of the office; you t not expect earnest application to work from and yet you must pay him quite as much more than you would pay a man who had er aspirations.

461. I think you will admit that that must aken with some modification, because if you a man in that position who would not have necessary reason for personal expenditure the under secretaries of legation have at the ent time, a salary would be amply sufficient an officer of that kind, which would not be cient for a secretary of legation?—No, be- e he could not live upon less than the junior bers of legation do. I think people have little idea of what the expense of living ad is. A man who is employed at a legation, who has a certain amount of confidential k, you must suppose to be in the category of lemen, otherwise he would not be confidential. e is not in the category of gentlemen, I think could not employ him, and you could not ex- the others to associate with him. I think that a system would produce heartburning in the sions, and really would not be attended with economy, because you could not give a man hat sort less than the others live upon.

462. I think I may assume, that in the eign Office cases occur in which employés in office, not gentlemen, have an opportunity of aining knowledge of matters requiring con- nce, and yet that the Foreign Office never ad that that confidence has been broken; e, for instance, the binders of the documents, letters and archives in the Foreign Office; become acquainted, or may become ac- inted, with matters of that importance, and I eve it is a fact, that the information so ob- ed has never been divulged?—The mere chers of documents, and the binders of them, taken from the class of respectable artizans, are not at all of the category of persons that are alluding to required for the different sions; and there is no such man in the eign Office, as you are supposing, taken on what I may call pariah work, that is to say, an devoted to the drudgery without any hope improvement of his condition, or encourage- nt from promotion. Such a man must feel t he belongs to an inferior class of men; and en a man himself accepts an inferior position, vill always be assigned to him by others.

463. Your Lordship is aware that that is the e in every department of life; in all com- rcial business, in every direction you find that fidential men are appointed of a lower grade n those, who either as partners, or sons of tners, have a higher position in connection h the undertaking; that is to say, that you get m what is no doubt a lower class, doing a lower rk, that work done in a confidential and careful nner, in return for the salaries that you pay? You get that work done now, under the pre- t system, at the Foreign Office, by men of ose antecedents you have knowledge, about om you can make every inquiry, and whom n have absolutely under your thumb, if I may the expression, by hopes of future employ- nt at 100*l.* a year. You cannot get a man to ve you for less than that, and it is five or six rs before he gets a rise; I say that you can-

not get the inferior work done at a lower rate. When a young gentleman comes into the Foreign Office and copies despatches from consuls, and all that sort of work, it is not the most interesting work for him, but that is how he rises, and becomes competent to fill a higher post.

3464. You would consider that notwithstanding the discouragements of the service occasioned by this block, it is better to maintain the number of juniors in the line of promotion rather than relieve them by taking off their shoulders the lowest class of work, and leaving it to be done by a lower class of clerks?—I do not mean to say that that might not be rather better for the juniors in the diplomatic service; but I confess that I look to the public service rather than to the interests of the juniors, and I believe that the public service would suffer by that.

3465. In reference to the position which the juniors of a mission occupy towards the chief of the mission, I should like to have your Lordship's opinion whether the heads of missions ought not to have more control over their juniors and have an opportunity of expressing an opinion as to their conduct, and as to the propriety of their promotion?—There is no impediment in the way of a minister expressing his opinion about the capacity of a person in his mission, and the good or bad performance of his duty by him. And if anything went seriously wrong he would bring it to the knowledge of the Secretary of State. But with reference to another question, I may say that as long as we take seniority *cæteris paribus* to be the rule of promotion, I do not see that the foreign minister can well interfere with advantage. I think that if he was, as foreign minister, to say, "I will have Mr. A or Mr. B here; I think that he is eminently qualified for the post from his knowledge of the language, and so on," that might be beneficial, because there are certain times where seniority ought for the public good to be set aside, and where a man conscientiously believes that A is better than B for a particular post, I, for one, although in point of business I should desire to adhere to the rule of seniority, would say that his duty to the public would compel him to set aside seniority in such a case.

3466. Practically, these private reports from the heads of missions are not encouraged in the Foreign Office?—I cannot say that they are encouraged or otherwise. A gentleman occupying the position of head of a mission has a certain number of young men under his command, and I think that he undertakes himself to look after their discipline and their good conduct. It is only when flagrant misconduct arises, or when a man shows himself unworthy, that it becomes the duty of the chief to report him; otherwise I should say that keeping order in his own establishment, if I may so speak, devolves upon the head himself. But a practice of reporting whether Mr. A was more attentive than Mr. B, I think, would not prove beneficial.

3467. You are aware that the heads of missions have complained to the Foreign Office that they have not sufficient control over their departments; Lord Cowley and Lord Lyons, for instance, have made that complaint; in a despatch to Lord John Russell, dated the 28th December 1860, Lord Lyons, writing from Washington, says, "Circumstances have, I think, of late years led to a diminution of the intercourse between chiefs of missions and their subordinates. The

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tendency seems to be towards the chief, and the secretaries standing aloof from each other altogether, and towards the attachés being little more to the chief than mere copying clerks. This is, I think, on all accounts to be regretted; it diminishes the dignity and efficiency of the mission. It has a still more disadvantageous effect upon the diplomatic education of the junior members;" then, later on, he says, "A chief in the British diplomatic service has very small means of enforcing discipline. A sense of duty and propriety, and, I may add, gentleman-like habits and manners, appear generally to suffice to make the subordinates respectful to their chief, and to induce them to give a fair share of their time and attention to their official duties. In a gross case of insubordination, misconduct, or negligence, the chief would, I suppose, have the resource of reporting the offender to the Secretary of State; but unless such a report drew down upon the culprit some very severe mark of displeasure, its effect would be to increase rather than to diminish insubordination. His being merely removed to another post might be a reward rather than a punishment. If such were supposed to be the only probable result, a complaint to the Foreign Office would be a most ineffectual weapon in the hands of the chief so unlucky as to be stationed at a post not regarded as a pleasant residence. Probably the most effectual means of giving a more thorough control over the attachés would be to make their promotion in a greater degree dependent upon the approval or disapproval of their chiefs. Custom has, I think, rendered the control of the chiefs over the secretaries much less than would be necessary if the secretaries were more regularly employed in the daily work of the legation"? — With regard to the statements which you refer to as made by Lord Lyons and Lord Cowley, I never heard them before, and I do not know whether they are answers to a Committee, or whether they are enclosed in despatches; but they are hypothetical cases, and without the least disrespect to Lord Lyons or Lord Cowley (for most assuredly better heads of missions never were), I should say that any insubordination, any want of discipline, any incompetency of service, was entirely to be attributed to the head of the mission. I was six years a minister; I had a great variety of persons at the legation while I was there, and I never found the least difficulty. They were all well conducted gentlemen; some of them might have been a little more diligent and others a little more idle, but I never had the least difficulty. It was as present to every one of them that in case of misconduct I should report him, as it would be to the ensign of a regiment, that the colonel would report him; but I never heard of anything of a serious kind. I should say that if there was any regular insubordination at a mission, if the discipline was not properly maintained, I should address myself more to the head of that mission than I should to the peccant attaché.

3468. Without going to any gross case, such as is alluded to in the despatches, I presume that your Lordship would admit that the efficiency of missions would be interfered with by any such want of harmony between the chief and the subordinates as would amount perhaps to their not being on speaking terms?—Certainly it would interfere with the efficiency of any service. If I were not on speaking terms with Mr. Otway, for instance, I should say that the ciency of the service would be greatly dama But I think that it would be exceedingly diffic and would tax all the ingenuity of this C mittee as well as of Parliament, to devise s means of making two gentlemen like each o who had determined not to like each other.

3469. But would you expect that any subalt would venture to be on those terms out of hours of duty with his superior officer?—N should certainly not expect it, and if I heard any attaché being insubordinate to his chief, his chief reported him, that attaché would be moved, and certainly not to another and a be place.

3470. We are discussing this question wit view to see how far the present system secu harmony, and I ask whether, in your experien it is not the fact that occasionally there is a g deal of unpleasant feeling and quarrelling missions, and differences between the heads missions and the secretaries of legation?— really cannot say that that has come under knowledge. There are differences in hum nature; there are some natures that are as oil other natures that are as water, and they do mix well together; but, as a general rule, I ha known very little unpleasantness indeed. I ha known the head of a mission say that he thou his secretary of embassy or legation was not pleasant fellow, and I daresay that individu of that sort may suffer in their social intercour but I have never heard of the public serv being prejudiced by that; and that is what it our business to look after.

3471. Still I understand that in your juc ment the public service must suffer unless the is an harmonious working of a mission betwe the chief and the subordinates of the mission? If the chief of a mission understands his po tion, and understands the amount of authori vested in him, and knows the power at his bac he can perfectly well maintain discipline.

3472. With regard to the appointments missions, is it the rule of the Foreign Secret to appoint the senior secretary of embassy to vacant mission?—No; I do not think that the is any positive rule about that. I think that t Secretary of State, as I have said *cæteris paribu* would always be disposed to take the person wh is senior, because amongst the different missio there is not that very great difference in th requirements and aptitudes, if I may use suc an expression, of the persons to fill them, t would make it necessary to give the go-by that principle of seniority which, diplomacy no being a profession, ought to be observed; but should never hesitate to set aside that practice seniority, if I thought it for the public good t do so. If I knew by experience, by reports, o in short, by what I felt to be sufficient knowledg that B was eminently qualified for a particula post, I should be sorry to pass over A, but should not hesitate to do it; because one's firs rule is the good of the public service; to do al the justice that one can to the employés of th public, in order to prevent, as much as one can well-founded heart-burnings, but still always i possible to appoint the right man in the righ place.

3473. It has been stated in the House of Com mons, and complaint has been made in th House of Commons, that there are certain gentle men at present on pension who have filled the offic

of minister abroad, and whose appointment
y mission would save their pensions to the
; may I ask your Lordship whether there
sufficient reason for not appointing diplo-
pensioners, who from their age and health
t for employment?—That is a matter upon
I think the Secretary of State is person-
esponsible. There is no great injustice done
e individuals, because they would not gain
more if they were employed than they gain
maining on the pension list. I do not wish
y anything that is personal or disagreeable
ybody, but I reserve to myself the right,
a perfect sense of responsibility, to be
upon to account for its exercise when ne-
ry, of judging what is best for the public
ce, and if I think that the public service
d gain more by continuing to give a pen-
to a gentleman than by re-employing him, I
hat upon my individual responsibility. I
given proofs enough, and shall give more,
I hope, of my desire that economy shall be practised, and it is from nothing but a sense of public duty if I do not re-employ persons in diplomatic positions who by accident, or one cause or another, find themselves on the pension list.

The Earl of *Clarendon.*

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3474. There was a recent vacancy which was filled up by a gentleman, a late Member of this House, Mr. Layard, who had not been in the diplomatic service for a number of years, and who was not in the line of promotion to that post; is not that rather going out of the general rule?—I cannot say that it was going out of the general rule, because the general rule of the Foreign Office is, that a man who has been under secretary may claim to go out as minister. There are numerous instances of that; they are not quite fresh to my recollection now; it has always been considered a rule of the service that when an under secretary has served well and for some time, and he is appointed to a mission, he goes out *ad eundem.*

Monday, 13th June 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Cameron.
Mr. W Cartwright.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Sclater-Booth.
Mr. Richard Shaw.

The Right Hon. EDWARD PLEYDELL BOUVERIE, in the Chair.

The Honourable Thomas John Hovell Thurlow, called in; and Examined.

Hon. *T. J. H. Thurlow.*
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3475. *Chairman.*] You have been in the Diplomatic Service?—Yes, and I am still in the Diplomatic Service.

3476. How long have you served in it?—I have been serving since June 1858.

3477. You began as an unpaid attaché?—Yes.

3478. And what rank have you reached now?—That of a second secretary.

3479. How long have you been a second secretary?—Since 1864.

3480. Where have you served?—I began by going to Paris.

3481. You were first in the Foreign Office, I suppose?—I was one week in the Foreign Office. According to the regulations I ought to have been three months there; but they wanted hands at Paris, and I was sent out. After being a little time there I went to Stockholm, then back to Paris, and then out to China with Lord Elgin's special mission; then I went back to Paris, and then I got leave from the Foreign Office to accompany Lord Elgin to India as his private secretary; then I returned to Europe and was appointed to Vienna; then I went to Washington, and from Washington I went to the Hague, where I am now.

3482. Then, in fact, you have served all round the world?—Very nearly.

3483. How many colleagues of the rank of second secretary have you?—I am not very sure, but the Foreign Office list shows, I think, 32 or 33, or something of that sort.

3484. When should you expect to arrive at the next step in your profession?—I could not say, but at the rate at which promotion is going on not much under 10 years.

3485. In 10 years you might expect to be a first secretary of legation?—Yes.

3486. How old would you be then?—I should be over 40.

3487. Have you considered whether you would continue in the profession with reference to this point of the length of service in the subordinate grades?—I have quite made up my mind to leave the service at the expiration of my present leave, for I see no prospect of rising in it.

3488. You have come to that determination on account of the very distant prospect of promotion in the profession?—Entirely on that account.

3489. No other reasons have led you to it?—No other reasons; I see no inducement to remain in the service.

3490. Have you ever attempted to calculate if you became a first secretary in what time you might become a minister?—Yes; it is possible to go through the list of first secretaries in 10 years, but it is very unusual I should say.

3491. That would be extremely good luck, would it?—I should consider it extremely good luck.

3492. You must in your experience have become familiar with a good many members of the same standing as yourself; does the feeling prevail amongst them that you give expression to on your own account?—I should say that the feeling is universal, and I do not believe that many of them would remain in the service if they could see their way to a living out of it.

3493. They think that they have made a mistake in ever entering it?—Yes.

3494. Has that reference more to promotion and the opportunities of distinction, or to want of pay?—Certainly, it is more with regard to promotion and opportunities of distinguishing themselves, and making a name, and rendering service; the pay is not tempting.

3495. I need not ask you whether your experience confirms what has been told us by other gentlemen, that the pay in the lower grades is utterly insufficient to maintain a secretary?—Utterly.

3496. Therefore a gentleman in the lower grades has to live mainly upon his own means?—Yes.

3497. The temptation to enter the service is therefore the prospect of rising to the highest stations, and the distinction consequent on that?—Yes.

3498. To what do you attribute the stoppage in the promotion?—I attribute it very much to the reduction of some of the small missions (five or six have been reduced in the course of the last few years), and to the number of subordinates not having been reduced in accordance with the number of missions; there are the same number

t a greater number, of second and third secre-
s and attachés now than there used to be of
and unpaid attachés, when there were more
ons.

99. The lower ranks are filled up, but the
er ranks have been diminished?—Yes.

00. I presume that the number of first secre-
s, as well as the number of ministers has
diminished?—Yes.

01. Are you of opinion that the number of
nd and third secretaries and attachés could be
nished fully in proportion to the diminution of
issions?—I think that some plan ought to
it upon for reducing them, so that you might
the same number of second and third secre-
s as you have of first secretaries; then the
notion would be regular throughout the pro-
on.

02. You would propose to have an equal
ber of each rank?—I would have an equal
ber of first, second, and third secretaries.

03. With regard to the number that you
ld have in the lowest grade; you have sug-
ed in the memorandum furnished to me, 16
chés?—Yes; calculating on four vacancies
y year, they would be worked off in four
s.

04. Is four about the average of the vacan-
?—Four is about what it would be if there
e no outsiders put in.

05. Then you would contemplate making it
e a close profession, and having no outsiders?
n that case it would be so.

06. Then how would you provide for retire-
t at the top of the service; would you wait
death, vacancies, or incapacity, or would you
erannuate them?—I think that the French
e a system of superannuation after a certain
; and I think that that would be a very good
n for us to adopt.

07. You mean compulsory retirement at a
ain age?—Yes.

08. Is that the case in the French service?
believe so.

09. Do you know at what age?—No, I am
sure, but I think that it is earlier than I
uld advocate; I think it is very near 50.

10. That is retirement from the lower grades,
resume?—I believe it is from the highest.

11. Many of the first men in the diplomatic
vice of this country, in the present generation
in past ones, have been far above that age,
e they not?—Yes.

12. Is there any reason why a minister or
bassador at 70, should not be quite as efficient
at 50?—Not the least.

13. Then it would rather be by way of keep-
up the current of promotion, that you would
ommend such a system?—Yes.

14. I gather, that you believe in the ad-
ntage of having younger men in the service
her than older ones?—It is not an invariable
e, by any means, that it proves an advantage,
t I think that there ought to be a way of
tting rid of old gentlemen when you like. It
ght be optional with the Secretary of State
haps to use that power.

15. You would give him that weapon, at any
e?—Yes.

16. Supposing that this scale of yours was
opted, or anything like it, what would you do
the meantime to clear the present block; how
uld you get rid of the extra second secretaries
o are now encumbering that rank?—I think
0.51.

that some of them might be drafted advantageously into the consular service, for instance, as vacancies occurred; or they might be induced, perhaps, to take all sorts of other patronage, at the disposal of the Government, in its different branches, to which they might be considered to have some claim. That is the practice that has been followed in India, on the abolition of two or three different services there. When the Indian navy, for instance, was abolished, the officers were held to have a claim on the patronage of other departments; and the same was the case with the Indian police, the other day, since Lord Mayo has been there. They were not all drafted at once, but they were given small pensions, and were officially informed that they would have a prior claim upon the patronage of the Government of India to other candidates equally eligible; and I believe that they have almost all since been drafted into different branches of the public service.

3517. Was that done to the satisfaction of the gentlemen who had to retire or *in invitos*?—It was done with great satisfaction to the gentlemen who had to retire.

3518. Do you think that it could be done with the same satisfaction to some gentlemen in the diplomatic service?—I think with very great satisfaction. There are a great many posts at home that the Government have to dispose of, which a great many first and second secretaries would be glad to take, and which they would be quite competent to fill; all sorts of inspectorships, and other things of that kind.

3519. I understand that your scheme would be to reduce the standard number to an equal number of first, second, and third secretaries, and to provide in the meantime for the supernumeraries by other public employment?—Yes; unless, perhaps, some of them might be bought up as the Indian colonels were; they might get bonuses.

3520. But assuming that there is not a larger subordinate staff now than is requisite for the public service, what would you do in regard to the work which these gentlemen have hitherto been doing?—In the first place, I would establish a chancelier, such as they have in most of the continental diplomatic services, a system which works well.

3521. You mean that you would have a permanent one?—I would have a permanent man attached to the principal embassies and missions to take care of the archives and keep the registers, and do a great deal of miscellaneous work, which is now handed over to the attachés.

3522. There is an officer of that kind at Paris, I think?—Yes.

3523. Is he a gentleman of the same class and stamp as the attachés, or of an inferior class of society?—He is of the same class.

3524. Is he an Englishman?—Yes; I know him very well; I served with him at Paris over three years; I allude to Mr. Atlee.

3525. Has he been permanently established at the mission?—Yes; when Lord Cowley was appointed ambassador, I think in 1851, he chose Mr. Atlee for his private secretary, and he has been there ever since, with great advantage to the work of the embassy.

3526. I presume that he is familiar with all the past correspondence and archives of the mission?—Yes; and he is now consul, for which he gets a small additional pay.

3527. What are his emoluments?—I should think about 600 *l.* or 700 *l.* a year altogether.

 3528. And

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3528. And is that the ultimate estate to which he can arrive?—I believe so; I think that he gets an annual increase of 10 *l.* a year.

3529. And you think from your knowledge of Paris, that that has worked satisfactorily?—Certainly, it has worked quite satisfactorily at Paris.

3530. Is there anything of the kind at any of the other missions, to your knowledge?—Yes, I believe at Constantinople Count Pisani occupies a very similar position; and there is a Mr. Michell who at St. Petersburg occupies a very similar position, and with great advantage, I should say, to the public service.

3531. Is Mr. Michell attached in the same way permanently at St. Petersburg?—I believe so.

3532. Did Mr. Atlee begin as quite a novice at Paris when he started in this office?—Yes, he was quite a young man then, and he had been in no other branch of the public service. I think he came fresh from college.

3533. Was there anybody at that time to initiate him into the business of the chancellerie, or had he to learn it all from his own industry?—He had to learn it all in the same way as any attaché joining.

3534. There was nobody to hand on the traditions of the archives to him?—I believe not. I believe they were very indifferently kept before he came there; so I have been told.

3535. Viscount *Barrington.*] He came originally as private secretary to Lord Cowley?—Yes.

3536. Consequently he would not have the keeping of the archives at once, would he?—I believe that his appointments have gone on by degrees.

3537. Mr. *W. Cartwright.*] He is now consul also?—He is consul as well, and he has all the other duties that I have mentioned.

3538. *Chairman.*] Was there a chancelier before him?—I believe not.

3539. Then it is an innovation in the work of the office there, as far as you know?—I suppose so.

3540. And a successful innovation you think?—Most successful, I should consider.

3541. And judging from your experience, you would recommend its extension to other important missions?—I would.

3542. To what missions?—To begin with, I would have it wherever we have an embassy, consequently at Berlin and Vienna. I should consider it indispensable at Washington and Florence, and we might perhaps have it at Madrid. At Pekin and Yeddo they have practically a man of that sort already.

3543. One of the interpreters, you mean?—Yes; the senior interpreter for the time being.

3544. With respect to copying despatches, a great deal of the business of the junior members of the missions consists in that copying work, does it not?—Yes; and it frequently happens that more than one copy is required of the same document, two or three copies, and in such cases I think we might follow the example of the United States and use copying presses with great advantage; it would be a great saving of labour and of time; in the United States in what they call the State Department, which is their foreign office, copying presses are in constant use; all the despatches received from the Government at Washington by our Minister there have been copied; they all come from the copying press.

3545. They have all had a copy taken off then—Yes, they have all been impressed.

3546. Do you know whether that is practis by any other diplomatic body?—I have kno Russian diplomatists use copying presses, but am not aware whether they are officially reco nised by any other services.

3547. It is not known in our service, at a rate?—No.

3548. Is it your considered opinion that wi the establishment of a chancelier at the emb sies, and at Washington, and at Florence, a the use of copying presses, you could amp supply the want of power which might be creat by taking off 11 second secretaries from t present staff?—Certainly; I consider that tho who remained would be much more willing a quite equal to take any additional share of wo which might accrue to them in consequence such reduction; but I do not believe that t additional share of work would be anything ver excessive.

3549. And do you allow for leave of absenc —I allow for leave of absence. And of the attachés that I should recommend having, t or three might be sent as occasion required any post where there was at that moment a great amount of correspondence.

3550. You would have a flying staff attachés?—As a rule, I would keep the attach at the embassies where the work is more vari and constant, and where they learn their busine much quicker than at other places.

3551. It is important that they should see variety of business?—Yes; but one or two them might always be available to be sent to a spot where there was a great and sudden deman

3552. Have you any suggestions to make to the rate of pay?—To begin with, I would ce tainly pay the unpaid attachés; I would gi them a small remuneration, 100 *l.* or 150 *l.* year, not so much because I consider that the want the money as to entitle the State to the best work. I think that the present system very demoralising, under which a young ma enters at 23 or 24, and serves for an uncerta number of years unpaid; he considers that th State has no right to his labour, very often.

3553. And not being paid, he thinks that h may do as he likes?—He thinks that he may d as little as he can, and that he should get as muc leave as possible.

3554. Is it a system which is practised in th other services, the French or Russian, fo example, that of having unpaid service at all?—Yes, I believe so.

3555. Do you know how their pay in the lowe grades compares with the pay in ours?—Th French lower grades are paid better than our A second secretary in the French service gets, think, a minimum of 400 *l.* a year, and a secon secretary in our service gets a minimum of 250 *l*

3556. In the French service do they attac any qualifications to their service by way o position or money?—Yes, they have a mone qualification, which I think might be introduce into our service with great advantage. I think it is entirely a profession for rich men, and think that we get into very great discredit abroa very often from having people in the service wh cannot afford to live in a proper way.

3557. Who have not enough means of thei own to make up the deficiency of their pay?—Just so; when a man becomes a third secretary

our service he gets 150 *l.* a year, and it is impssible that he can live as he ought to live der 600 *l.* or 700 *l.*, unmarried.

3558. And if he happens to try and live on s, then you think it degrades the profession?—ink that the mission loses caste. Certainly in ntinental services, particularly in the French l Russian services, the juniors spend more ney than our juniors.

3559. Are they men of greater means, do you nk, generally?—I think so.

3560. I understand you to say that those in lowest ranks, the attachés, you would attach the larger missions, and merely detach occaally for special service to the smaller ones?—here were 16 attachés, as there are now five emssies, if there were two at each embassy, that uld leave three or four (there being always one more on leave, and one or two working in the reign Office), who might be sent as sudden ocion required to any other post. For instance, Athens lately, there has been a very great mand for writing, and they have sent out an aché or two there suddenly.

3561. You are aware that Mr. Erskine, in the e of the greatest difficulty was absolutely with any assistance, and had to do everything himf?—Yes, I presume that he found somebody copy his enclosures; it is impossible that he uld have done it all himself, with his own hand, l attended to his other duties besides.

3562. Can you state what the staff would be of diplomatic service, according to your scheme? I would have embassies at Paris, St. Petersrg, Constantinople, Berlin, Vienna, Florence, l Washington, all great centres of correspondhce. The ambassador, I think, should have ,000 *l.* a year and a house.

3563. Do you attach much importance to the oviding of a house?—I attach the greatest imrtance to having an embassy house.

3564. You mean that it would be desirable the public service?—Yes.

3565. In what way?—In the prestige that it ves to the ambassador to have such a house for reception the moment that he arrives, instead having to live at an hotel, and perhaps dine at table d'hôte.

3566. It adds to his influence, and weight, and thority, you think?—It adds to his dignity om the very commencement.

3567. There is no house at Washington, I ink?—No, there is not; Sir Frederick Bruce, hen he was there, was very anxious to induce e Government to buy a house.

3568. Mr. *W. Cartwright.*] Nor is there one Florence?—At Florence there is none; am not sure whether the Government have not ken a lease at Florence for some 20 years.

3569. *Chairman.*] Was there any particular casion on which Sir Frederick Bruce attempted get an embassy house at Washington?—Yes, ere was a particular occasion when a most adirable residence could have been got, entirely ne up, for about 10,000*l.*; the same site could t be procured now for three or four times the oney; and that opportunity was neglected at e time.

3570. The proposal was refused?—It was resed; it was eventually sanctioned, but by the me it was sanctioned (I believe I am correct in ying that it was ultimately sanctioned by the reasury), it was too late, and the property had en sold for other purposes.

3571. Will you proceed to state your scheme?—The first secretaries of embassy should have, I think, 1,000*l.* a year. There should be at each embassy two second secretaries at 500*l.* a year each, and one third secretary at 250 *l.* There should be two attachés at each embassy with 100 *l.* a year a-piece, and one chancelier, say, with a maximum of, say 500*l.* The first class missions, I think, should be at Madrid, Brussels, the Hague, Copenhagen, Rio, Pekin, Teheran. I would have a first secretary on 700 *l.*, a second secretary on 400 *l.*, and a third secretary on 250 *l.*, at each of those missions. Then, at the second class missions, which would be Stockholm, Munich, Stuttgardt, Mexico, Berne, Lisbon, Buenos Ayres, Athens, and Yeddo, I would have a first secretary on 600 *l.*, and a third secretary on 250 *l.* There would further be chargés-d'affaires, as there are at present, at Tangiers, the Hans Towns, Lima, Santiago, Monte Video, Caracas, Port au Prince, Bogota, Central America, Quito, Coburg, Dresden, Rome, Darmstadt, Alexandria, Bucharest, and Tunis; and those chargés-d'affaires should be appointed from the first secretaries of embassy or legation.

3572. So as to facilitate promotion from the lower grades?—Yes.

3573. Then, according to this distribution, I make out that you would have, as you propose, equal numbers of first secretaries, second secretaries, and third secretaries; with 16 attachés and seven chanceliers, at the principal missions?—Yes; the number of chanceliers might be increased if it were found desirable in places of sufficient importance.

3574. With respect to the interchange of service between the Foreign Office and the Foreign Diplomatic Service, have you any opinion on that point?—I think that it would be highly desirable to increase the number of instances of such transfers. I think that they are productive of very great good, and promote very much, among the members of the service residing abroad, the knowledge of how affairs are conducted at home, which is very beneficial, and I cannot understand the opposition which has been systematically made by the Foreign Office, to prevent that free transfer.

3575. It never has been done hitherto?—It has been done in some instances. At this moment there are two or three of the Foreign Office clerks serving abroad; one at Florence, I believe, and one at Berlin.

3576. It never has been done as a system in our service, has it?—It has been officially recognised in the rules.

3577. Is it practised generally in the Foreign Diplomatic Services?—It is practiced very generally in the French service.

3578. And so you think with advantage?—With great advantage. In my own case, for instance, I was only one week in the Foreign Office, before I was sent abroad, and that was all the experience that I had of how affairs were conducted in the Foreign Office itself.

3579. As a rule attachés have to go through a period of six months' service, have they not?—I think it is three months.

3580. Have you ever considered, with regard to foreign messengers, the question of their rank and position?—I consider it of great importance, that they should be men of high social position, perfect bred gentlemen, and that their pay should render them quite independent of seeking to in-

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crease their emoluments in other ways, as they might be tempted to do, if they were reduced from their present allowances.

3581. Does a man obtain any facilities in the discharge of those duties from being a man of a certain position and importance?—I think that it is impossible to say what particular occasions may arise in the course of travelling from London to St. Petersburg or Constantinople, but very often the presence of a man, his gentlemanly appearance, may enable him to catch a train, or may lead the officials to relax their regulations as to registration of baggage, which may enable him to get into a train, and so save 24 hours. I have known that often happen; for instance, at Paris in the case of the Queen's messengers, they do not insist on registration of their baggage; they go through the official entrance, the guard's entrance, at once, without having the trouble of taking their ticket; they have these immunities accorded to them abroad simply on account of their appearance and gentlemanly behaviour, and being good linguists; it is indispensable that they should be good linguists, and that is a very expensive qualification.

3582. You would not approve then of the proposal to reduce the position of the Queen's messengers?—I would rather reduce the number of the Queen's messengers than their position, if you want to save money.

3583. I collect from what you have said, that the result of introducing a system such as you have sketched out, would be to make the diplomatic profession a close one altogether?—Yes.

3584. You would contemplate no outsiders being brought in?—No outsiders.

3585. And with respect to special missions, would you contemplate their being done away with too?—I object to special missions on two grounds, on the ground that they have generally, or at least that they have very often, failed in their purpose in the same way as our ordinary diplomatic agents, that is to say, where our ordinary diplomatic agents have failed, I do not see that special missions have succeeded very often; and they are very costly. I can hardly recall at this moment any recent special mission that has attained very great results in the Foreign Office.

3586. May it not be desirable sometimes on critical questions, arising with foreign courts, for a minister to send somebody who is not in personal daily communication with them, to conduct the negociations?—Of course occasions may arise in which special missions may be very valuable, but as a rule I should discourage them.

3587. Do you think that the practice is viewed with dislike by the profession?—It is viewed with very great dislike by the profession, and it puts the accredited agent at the court in a very anomalous position. I could mention one instance, if it is proper to do so. When Lord Cowley went to Vienna in 1859, it placed Lord Augustus Loftus in a very difficult position, before the outbreak of the Italian war; I think that I am not saying too much in saying that.

3588. It is possible to conceive that great public advantage might sometimes arise from that sort of mission?—It might, and I should certainly leave it open to a foreign minister to send a special mission.

3589. As it is they are but rare?—Yes.

3590. Mr. *Otway.*] You would always consider the public advantage before the private inconvenience of the minister or ambassador?—

course.

3591. Mr. *Lowther.*] Were you at Vienna the time that that occurred?—No, I was at P then.

3592. *Chairman.*] Is there anything that would like to add to what you have said?—I think not.

3593. Mr. *Rylands.*] Your attention has b directed chiefly, I think, to the inconvenience objection to the service, arising out of the bl which exists at present in the service?—I c sider it very desirable to have trained diploma agents, and I think that the present system calculated to drive the best men out of the s vice, and to delay promotion unduly in the c of those who remain in it.

3594. And you see no causes at present operation which would relieve the system fr the objections which you entertain to its pres constitution?—No, I do not see any.

3595. Then you would not agree with t statement made before this Committee, that t circumstances of the service in that respect much improved, as compared with former yea —No.

3596. There is a statement in which it is s that the relative position of the second and th secretaries is better now than it was a few ye ago; that does not accord with your view?— should say that no doubt the position of the seco and third secretaries is improved by the gra ing of commissions to them, which was done t other day.

3597. But not in reference to the ultima chance of promotion?—No, not in reference the ultimate chance of promotion. The givi of a commission to second and third secretari may be a slight boon, but it certainly does n advance their promotion, or tend to improve th ultimate chances of rising.

3598. I take it that the Committee must u derstand that you think the present system do not offer that inducement to an intelligent ac vity on the part of the subordinates in the servi which it ought to do?—Well, I think that the is a great deal of intelligent activity brought light under the existing regulations; but I thi that the service deserves better treatment th it receives, and that what it wants is regul routine promotion a little more rapid than it now, or rather a great deal more rapid than it now.

3599. Do not you think it desirable that pr motion should be other than routine; that should have some reference to the capacity the members of the service?—When a man h attained the rank of first secretary, I think th then the promotion ought to go by merit; but think routine promotion up to the rank of fir secretary should be the rule.

3600. You think, then, that there is no obje tion to the juniors in the service feeling that b no activity or intelligence that they may posse can they advance their promotion in any way?— No; I think, on the contrary, it is just as we that the subordinates should feel that nothin that they can do can advance their promotion u to the rank of first secretary. I think that t much zeal would be a very dangerous thin among attachés, paid or unpaid.

3601. But if the post of secretary of legatio and embassy were made the principal point which the junior members of the service coul arrive

ve; your remark would then apply to the nd secretary just as it now applies to the tary of legation; you would say that the r members should go by seniority up to position of second secretary, providing the tion of first secretary was the culminating t of the service?—I would have the promo- routine up to the rank of first secretary of ion.

02. That is assuming that the service must ntirely a close one, and no outsiders ap- ted to be heads of missions?—Yes.

03. But supposing it were so altered or so rstood, that outsiders should come in as heads issions, then your views would be met, if the ice were one of routine promotion up to the of second secretary, would they not?—It s to me that the two points are quite dis- t, the question of the admission of outsiders e rank of envoy, and the question of routine otion up to the rank of first secretary; I do see what bearing they have upon each r.

04. I will ask you about the appointment of ders as heads of missions presently; but the tion which I put to you now is this, if it so decided that outsiders should be ap- ted to be heads of missions and that the close ice, properly speaking, should end with the taries of embassy and legation, as the cul- ting point of the service, then your views ld be met if up to the rank of second secre- the system of routine were adopted, and the principle of merit; that the highest ion in the routine service, that of secretary argé d'affaires should be granted to the man had distinguished himself most as second tary?—I think that as a rule it would be to hold out to the juniors in the service, r whom I include the attachés and the third second secretaries, the chance of advancing selves over the heads of their colleagues in service by any efforts of their own. I think in the junior grades there ought certainly to outine promotion until you arrive at the rank st secretary, and then I consider that the secretary, if it were desirable, might be made nister in a very few years, or a secretary of assy, without reference to his seniority on the f first secretaries.

05. You, of course, would object to the ap- tment of Mr. Layard as an outsider, I mean ng your principle and not making it a per- l matter?—I consider that appointment very upon the service. I consider that there are y men in the service who have better claims perhaps, equally good qualifications for the ose of the minister at Madrid as Mr. Layard; that is the light in which it is regarded by service. I am not aware that Mr. Layard any special claims making him an absolutely ssary man to have at Madrid at this moment; of course that is a point that I am not ca- e of discussing.

06. We are talking, of course, of the gene- principle, and not of the personal matter. r idea is, I think, that, under no circum- ces, ought there to be placed at the head of a ion any man who had not gone through the rdinate grades of the service?—As a general , most certainly that is so.

07. And you would proceed upon the prin- e that only a certain number of young men ld be introduced as attachés, and that they 51.

should, by steps more rapid than at present, necessarily arrive at the ultimate goal of ambition, unless there were some very serious objections?—That they should ultimately arrive, in a shorter space of time than now, at the rank of first secretary; but that their further promotion should depend on merit.

3608. But, according to your plan, you would have so few first secretaries to select from, that when there was a vacancy at a mission or embassy, it would almost necessarily be the case that the first secretaries should, in turn, take the higher appointments?—I would have the same number of first secretaries that you have now, one to each mission; you cannot have more or less.

3609. And in the course of a certain number of years, particularly if these old gentlemen that you speak of were retired, there would be a certain number of vacancies into which the secretaries of legation and embassy would step?—If it were purely routine promotion; but there would be no reason to prevent a first secretary of legation remaining a first secretary of legation for 40 or 50 years, as is the case now; gentlemen in that position have been systematically passed over. A man at the top of the list of first secretaries has been constantly passed over for years and years, and I would have it so still, if the Secretary of State did not think that he was fit to be promoted.

3610. But you say that you would not place a second secretary in the position of first secretary by merit, but only by routine; and then you have a certain number of vacancies for heads of missions to be supplied out of a very narrow number of first secretaries of legation and embassy?—I wish it to be understood that my reason for not promoting a second secretary by merit is, that as I consider it would create a very bad feeling in chanceries in the conduct of the business to have these young men attachés and third and second secretaries, who are at work in the same room all trying to cut out each other in their daily work, each trying to distinguish himself unduly, and so on, to the detriment of his colleagues.

3611. You are aware that in the Foreign Office there is a certain amount of promotion in the grade of clerks apart from seniority and with reference to diligence and merit?—I think not in the grades corresponding to the second and third secretaries in the diplomatic service.

3612. To revert back to the point that I was pressing you upon just now, I think, as I understand your plan, it would lead almost necessarily to the appointment of every secretary of legation or embassy to a mission; I do not ask you whether it must absolutely lead to that, but in nine cases out of ten must it not do so?—In nine cases out of ten, it would, no doubt; and that I should say is one of the arguments in favour of keeping up small missions, where you can send people who attain that position, who are not, perhaps, qualified to go to a very big one. I think that that is one of the great uses of small missions for purposes of elimination. They cannot be all equally good men; you can send your good men to the big places, and your indifferent men to the small places.

3613. Do not you consider that for the conduct of our affairs in great embassies we ought to have men of very remarkable ability?—You ought to have men of very excellent ability, and of very good business habits, and I should say of con-

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siderable experience of living abroad, and of the ways of foreigners, and their habits of thought, and every thing of that kind.

3614. And of great judgment and prudence in the conduct of affairs?—Of sound judgment; good sound business-like men, who have learned their business.

3615. But do not you see that your plan would restrict the Foreign Secretary for the time being within very narrow limits in the selection of these men of great ability, of remarkable prudence, and of sound judgment?—He would have, according to my plan, the same list of first secretaries to draft his promotions out of, as he has now. You are aware that it is not a frequent practice now to make an outsider an envoy; as it is, promotion is usually routine in the service, and it is still exceptional for an outsider to be appointed.

3616. But your proposal would alter the present plan so far as this, that you would absolutely restrict the Foreign Secretary to the selection of one out of the secretaries of embassy and legation for any appointments to a foreign mission?—I would, unless he could come forward and say that there was no person in the service qualified for it.

3617. That would place him in a most invidious position, would it not?—Yes; but I consider that the Foreign Secretary, out of the list that he had to choose from, would find practically some person in the list adapted to any situation that might be vacant.

3618. You are really of opinion that four attachés nominated by the Secretary of State, and introduced into the service every year, and rising up from year to year, until they become secretaries of legation, would furnish a fund, out of which, under all circumstances, the Foreign Secretary might be expected to draw men of remarkable ability, of great experience, and of careful judgment in the conduct of foreign affairs?—I believe that that is the result recognised to be the case at present. There have not lately been so many as four attachés appointed every year; owing to the block in the service, they have appointed fewer attachés than four every year. But if you look at the great names in the diplomatic service, you will find that they have all been attachés.

3619. You are aware that the system is much more close and routine at present than it formerly was?—Yes.

3620. And that many of the distinguished men who now occupy positions as ministers abroad came into that position under different circumstances, and were promoted under different circumstances, from those which now exist?—Yes.

3621. And you propose by your plan, still further to render this system a close and cramped system?—I do not consider that the closeness of the system has worked ill; quite the contrary. I think that there are as good men in the diplomatic service in the higher ranks as you will find in the higher ranks of any other service, and they have the benefit of long experience with foreigners and of speaking foreign languages, and they are *au fait* at their work. That is not generally the case with outsiders. In Mr. Layard's case, it is different; he had been in the Foreign Office many years before, and had served at Constantinople; and you may say that he is well qualified; but his is an exceptional case.

3622. I suppose you are quite aware that in the services of France and the United States the appointment of outsiders is a very frequent and I suppose an ordinary, occurrence?—As regards the United States they have no fixed diplomatic service. It is remodelled whenever any new president comes into office; he takes a sheet of paper and writes out the names of his people.

3623. And their ministers abroad are appointed entirely outside the service from among public men?—They have no fixed diplomatic service, you may say, in the United States; if they want to send a minister to Paris, the President appoints a private friend or a person whom he knows to be qualified to fill that post.

3624. But you are quite aware that there are secretaries of legation, in the different missions of the United States who remain there, although there may be a change in the Government at home?—They are not often promoted to be ministers; in the same way that the President when he comes into office appoints different men ministers; he appoints one man a secretary of legation, and another an attaché, and if he likes he withdraws all the others who are abroad.

3625. But is it not the fact that they have over the world a number of secretaries of legation, who are maintained although the Government of America may change, and a new President be appointed?—The staff of the American legation on the Continent is very small indeed. In very many of them they have nobody except the envoy, and very often you find a son-in-law doing the work of the legation.

3626. Mr. *Lowther.*] Or one who is likely to become a son-in-law?—Yes; they have no regular staff as we have abroad, and as France and Russia and Italy have.

3627. Mr. *Rylands.*] To the extent that they have it they do not select for their ministers abroad, as a rule, any of the men who have served in any of the legations?—When Mr. Motley was appointed here the other day he brought as his secretary the person just appointed as consul general in London, a General Badeau, who was military secretary to General Grant. There is no close profession in the United States service, and there can therefore be no outsider.

3628. In France there is a close profession?—Yes.

3629. And in France the custom has been very frequently to send to their foreign missions and embassies distinguished public men who have been outside the profession?—They have done that in France lately very often, but it is regarded as a great hardship by the service; and moreover, France can afford to do that with less hardship to their diplomatic service than we can because they have so many more embassies and missions. They have an embassy with a very large staff at Rome; they have an embassy with a very large staff at Berne; they have a minister at Hesse Cassel, and all sorts of places that we hardly know the names of; in short, they have 21 second secretaries and 30 embassies and legations; whereas we have 34 second secretaries and only 24 embassies and legations.

3630. But the fact remains that they do avail themselves of men of great public mark and great experience in public affairs as their ministers abroad?—They do occasionally as we do but I do not think more frequently. When I was at the Hague the other day, at the time that

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Mr. Layard was appointed to Madrid, and the present French ambassador was appointed to St. Petersburg, the French legation at the Hague, and the whole of the diplomatic service, looked upon the appointment of an outsider to the French embassy at St. Petersburg as being as great a hardship as we in the British legation considered the appointment of Mr. Layard to Madrid to be.

3631. There are, of course, two ways of looking at appointments of this kind; one is the point of view of the public interest, and the other the point of view of the service. Of course you will admit that it is to the public interest that the Foreign Secretary should have the greatest possible discretion in the appointment of men who are the most suited to these very important missions abroad?—Of course.

3632. And I think you cannot deny that your plan would limit that discretion within very narrow bounds?—I am not aware that I suggested that the power of the foreign minister of appointing whom he likes, should be withdrawn; but I think that he should have very good reasons for doing it, when he appoints an outsider.

3633. You are quite aware that the Foreign Secretary may have to act in matters of this delicacy, on grounds that he could not properly be asked to state to the public?—Certainly.

3634. In the selection of agents abroad, it must be a very extreme case indeed, in which the public would have a right to call upon the Foreign Secretary to explain the reasons why he passed over particular men?—I consider that it would be a very extreme case in which the foreign minister could not find a first secretary of embassy or legation in the service, perfectly competent to perform the duties of ambassador, or minister, where there was a vacancy for one.

3635. You spoke about the compulsory retirement of ministers, with a view to relieve the block?—I simply pointed out that I believe that that system prevails in France, and that is another pull which the French system has over us; that was the incidental way in which I referred to it.

3636. But do you suppose that in regard to the appointment of ambassador to this court, under the French system, any statesman would be precluded, in consequence of his age, from being appointed to this court?—Probably not for an appointment of that magnitude. That is a thing easily ascertained; but I believe that they have a seniority qualification for compulsory retirement at a certain age.

3637. Possibly what you say in regard to compulsory retirement may apply to those gentlemen who form part of the diplomatic service in France, and it may not apply to outsiders; there may be some explanation of that kind?—Yes.

3638. I think that you did not tell the Committee at what period you would get rid of the old gentlemen who now block up the service?—I should be very sorry indeed to have to fix the period.

3639. Has not that been done lately in regard to admirals?—Yes, and if you fix the period for one branch of the public service, I do not see why you should not fix it for another.

3640. Is there not a difference in services; you can quite understand, for instance, that an admiral or a commander exposed to great physical hardships might be unfit for his duty at 70, while a minister, not exposed to hardship, but whose experience was invaluable, might be at his prime at 70; cannot you see that distinction?—It might be so certainly, but I can equally conceive that it might be the other way.

3641. But there you would come again to the discretion of the Secretary of State?—Yes.

3642. You are quite aware that some of the greatest statesmen that we have had of late years have been men who have held most important offices in this country at a very great age; Lord Palmerston, for instance, who was Prime Minister when he was extremely old; and I dare say that no one thought he ought to be got rid of, simply on the ground of his age; you are not prepared, as I understand you, to mention an age?—I only threw it out for the consideration of the Committee to inquire into the practice in that respect. In France, I think that they have a rule of some such sort as that.

3643. Mr. *Otway.*] The present French ambassador is past 70, I think?—It may be.

3644. Mr. *Cartwright.*] Are there many French ministers above 50 years of age?—I have seen very few French ministers above 50 years of age; as a rule they are much younger men; that rule may have reference only to the ministers, but the French diplomatic agents abroad are, as a class, nearly 10 years younger than ours.

3645. Mr. *Rylands.*] In consideration of the present difficulty in the foreign service, do you think that any relief would be furnished by a more complete amalgamation of the Foreign Office with the diplomatic service?—I think very great convenience might be afforded to both branches by more frequent exchanges, but I would not amalgamate them.

3646. You do not think it desirable that you should have certain ranks in the Foreign Office corresponding with ranks in the diplomatic service, so that the promotion in the two departments could be equivalent and exchangeable?—They have that in the French service already, but I have no reason to recommend it. I would keep them as distinct as now, but for the sake of permitting exchanges, I would establish a kind of scale of equal ranks in the two departments.

3647. Mr. *Otway.*] Would you propose to make the exchange compulsory?—Certainly not, but I would have it permitted in cases where it suited both parties, and where there were no public objections to it.

3648. Then would you give it a great extension, for instance, to the case of young men in the Foreign Office, whose means would not allow them to spend 500 *l.* or 600 *l.* a year?—I am speaking now from my own experience; I have tried more than once to exchange into the Foreign Office, and although I have found young men in the Foreign Office desirous to come abroad, I have not been able to get the Foreign Office sanction to my being exchanged into the Foreign Office, and I cannot conceive that there was any public reason why the exchange should not have been made, but simply the unwillingness of the Foreign Office to sanction it on a large scale.

3649. It seems to me that there is a difficulty in the way of the difference in pecuniary circumstances between many of the clerks employed in the Foreign Office, and many of the attachés abroad; if I understand you rightly, you wish to extend this system (and I do not say that I should not like to see it extended myself); but how do you propose to get over that difficulty?—I would

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I would make no change from the present system, which admits of people retaining the pay of their old appointments. You have one of your clerks for instance at Berlin, who has exchanged with a second secretary; I think that in the cases you are referring to, the scale of pay is different, but here they keep their old scale of pay.

3650. But a clerk in the Foreign Office has the privilege of living with his parents, and he may live on 200 *l.* a year, whereas he could not live at Berlin, or Florence, or Paris, on 200 *l.* a year?—I would not make the exchanges compulsory, but where you find clerks who are willing to go abroad for a year, and people in the diplomatic service who are very anxious to come and live in London for a year, and I maintain that those cases are by no means unfrequent, and where there are no public objections, I think you might sanction them more readily than you do now. Those cases do occur of a Foreign Office clerk who wants to live abroad for a year or two, and a secretary who wants to come home for a year or two.

3651. Do you mean that whenever an attaché in the diplomatic service wished to be exchanged with a clerk in the Foreign Office, that exchange should be allowed without regard to the number of men absent from the Foreign Office at that time?—I would say that you must not allow the public service to suffer, but wherever there are no public reasons to the contrary, you might sanction such exchanges more readily, I think, than now. The Foreign Office, as a rule, makes great difficulties in the way of those exchanges.

3652. Are you aware that Lord Palmerston promised in the House of Commons, I think to myself, that those exchanges should be encouraged?—I consider that it would be very much for the benefit of the public service that they should be encouraged; it would tend very much to both branches knowing what goes on at the other end of the string.

3653. Mr. *Rylands.*] But do not you think that your plan would be very much more practicable and more readily carried out if the ranks of these two departments of one great public service were made to correspond in a way that they do not now?—That is a large question that I candidly say I have never considered much.

3654. With reference to the introduction of the attachés, have you ever considered whether the present system is a desirable system which leaves it entirely in the hands of the Foreign Secretary to nominate them?—I certainly consider that the Foreign Secretary ought to be responsible for nominations.

3655. You think you would object to any means under which a larger opportunity of selection could be afforded, and under which the competitive principle would come in?—You might apply to the diplomatic service the competitive principle, which I believe now applies to the Foreign Office, where, on a vacancy occurring, there are three nominations, and the best of the three gets the appointment. Now, in the diplomatic service we have only a pass examination, a certain test, and I think that it would be a good thing perhaps to make it competitive in the same way as for the Foreign Office, but not more than that. Let the Secretary of State select the three best men that he can find for a vacancy, and let the examiners choose one from them; I think that that might be an improvement on the present system.

3656. The idea that, as I gather, you have is that in addition to such an examination as that to which you have alluded there should be a money qualification; that is to say, that no young man should go into the diplomatic service unless he was possessed of private means?—Certainly I should think that that would be most beneficial.

3657. You would still think that to be the case in the event of there being a small payment given to the officers of the service from their first introduction into the service?—It would depend of course on how much the country chose to give them, but it would be quite impossible for a man to live as an attaché, as he ought to live at Paris or Vienna, on 100 *l.*, or even on 200 *l.* a year.

3658. Practically, if the service were thrown open to competition in the first instance, young men would not be likely to go into it unless they had some means?—No.

3659. So that you would not be inclined to lay down a rule that no young man should go into the diplomatic service who had not a certain fortune?—I should be inclined to do that. In the French service they have to certify, I believe, that they have 400 *l.* a year.

3660. You are aware that there was a property qualification for Members of this House, formerly, of 300*l.* a year, and that notwithstanding a number of men got in who did not possess that qualification?—Still I think it would be an additional security against having beggars abroad.

3661. You say that the profession is entirely one for rich men; but may not that, to some extent, arise from the mode in which the profession is carried on in other countries?—Well, I think that it would be a great mistake to try to isolate our English diplomatists from their colleagues on the Continent. At Paris and Vienna and Berlin and these other places, no doubt, the more society that an English ambassador can see, and the more he can see of his colleagues, and the more lavish he can be, up to a certain point, the better.

3662. You think by that means he produces a certain amount of influence?—I think he produces a certain amount of influence, and he obtains a great deal of information which he otherwise would not obtain.

3663. You think that, in consequence of that sort of social intercourse, he obtains information of a valuable character to this country which he would not obtain in any other way?—I think so.

3664. Would not that sort of information have reference chiefly to the private views or intentions of members of the Government, or of persons of influence in the Court?—Very likely; and I think that those bits of private information, as a rule, are much more important than all the public despatches that they have access to.

3665. And you think that it is a safer guide for a minister abroad to be influenced by knowledge which he picks up of the private intentions of individuals, or of any personal intrigue connected with the Court to which he is accredited than it is for him to obtain his views from the expression of public opinion in the legislature or the country?—I consider that it is very valuable for a minister or ambassador abroad to have those private sources of information by which he can discount the despatches and public information which he receives, for the purpose of comparison.

3666. Do not you think that in a constitutional government

vernment the mere private wishes or opinions members of the Government are very much s important to be known than the general inion of the country?—I think that an em- ssador or minister abroad cannot know too uch of all the under-currents which cause the sults which are afterwards apparent to all the rld, but which a minister or ambassador ought know a little before the rest of the world.

3667. You, of course, are alluding to various nsactions having reference to the diplomatic lationship between various European countries? And to commercial relationships too. They ould find out, for instance, any two countries ntemplating any change of tariff or anything that sort, and perhaps meet it by a judicious ange in our own tariff.

3668. Are you aware that a few years ago, hen arrangements were being made between rance and Belgium, and Italy, in connection ith commercial matters, it was a subject of reat complaint that our missions there knew othing about the transactions that were going n?—I was not aware of that.

3669. You are not aware that there was a Blue ook on the foreign trade of this country, being ie Report of the Committee of 1864, in which good deal of that sort of thing comes out?—I as not aware of that.

3670. But you think that by means of this ort of social intercourse this information can be icked up, which otherwise would not be ob- ained?—Most certainly; I consider that the mbassador at Paris would pick up a great deal nore in the saloons and places where he meets is colleagues (in fact, in private life), than in fficial ways.

3671. Are you aware that the ambassador in Paris frequently associates, to a great extent, with one or two political sections?—I will not ay that that has been the case; but, of course, hat is more or less of a misfortune where you ind it arise.

3672. Is not that the natural tendency of things?—I do not think so; my experience shows that at the English table of the embassy you meet with all shades of opinion as a rule, and that you meet people there that you would not perhaps meet anywhere else at the same table.

3673. Mr. *Otway.*] Have you any reason to suppose that the exact reverse is not the case, namely, that the ambassador would admit to his table specially men of different parties?—For my part I have always noticed a very great unwillingness on the part of our representatives abroad to identify themselves with any particular clique, because it stands to reason how detrimental it must be to them, and I have never known any case of that sort; I will not say never, because I did know a case of it, but it was not the case of an ambassador or envoy.

3674. Mr. *Rylands.*] Can you say that you have not known cases in which particular cliques have been excluded from the saloons of the ambassador?—That has sometimes been a political necessity. In America, for instance, our minister at Washington does not fill his saloon with what they call Copperheads and people of that sort. You may say that they are excluded, but that is a necessity.

3675. Is it not the fact that there is an important political clique that has been excluded from the Parisian embassy?—Of course an ambassador must use his own discretion as to the persons to whom he sends his invitations, and it is not desirable to send them to everybody.

3676. You have now been speaking about the great expenditure of the ministers abroad, but does the same remark apply to the juniors; does their expenditure lead to the obtaining of this valuable information to which you have referred?—I should say not as a rule, but I consider it of very great importance that they should mix in the best society of the place, and, as you know, on the Continent society good, bad, and indifferent is very much more judged by the money it spends than it is in England.

3677. As regards the position of the junior members of our service abroad, you mentioned just now, that the junior members of the Russian service spend more than ours in foreign capitals?—That is my experience.

3678. Can you tell me from what class of society the junior members of the Russian service are generally drawn?—They are generally drawn from the richest; generally the nobility, and not unfrequently bankers and people in a very large way of business; but they are universally rich.

3679. Then money is the passport into their service rather than birth?—I should say so; and I should certainly like to see a money qualification established for our diplomatic service.

3680. Is there not something like a competitive display on the part of the young men attached to foreign embassies and missions as to their style of living?—No, not frequently.

3681. Would it not be the case that the junior members of our service in Paris, for instance, seeing the Russian juniors spending a great deal of money, would be likely to desire to spend a large sum of money themselves?—I think not.

3682. You do not think that there is a disposition on their part to vie with each other?—No, certainly not.

3683. But I clearly understood you to say, that so far as the young men at the missions are concerned, this large expenditure to which you have referred on their part, is not necessary for the purpose of obtaining public information?—I should say not.

3684. Did you, in the experience which you have had in connexion with the missions, ever find any complaint made by the heads of missions as to the fact that the juniors did not go much into society?—Yes.

3685. They thought that they ought to go more?—They thought it would be very good for them to go more into society.

3686. Can you give any reason why they did not go into society?—In the case of Paris, I should say that the great thing that keeps the juniors out of society is the hard work which they have all day at the embassy; after copying seven or eight hours at the embassy, and getting off the bag just in time for a late dinner, they do not feel inclined to take the trouble to dress and go into society; they prefer to spend the evening otherwise.

3687. You think that they are tired with over work?—Certainly, as regards Paris, it is the work of the embassy in the afternoon and evenings that keeps them out of ball-rooms.

3688. You do not then agree with the reason which has been given, that the young gentlemen attached to our missions do not know very good sets of people in foreign capitals, and therefore do not find it pleasant to mix in society there; that

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their acquaintance, in fact, is very limited?—A man's acquaintance being limited is his own fault. If a man seeks to make acquaintances and go into society, of course he is in a position to do it as an attaché; but I certainly think, as regards Paris, that it is the evening work of the embassy which has kept people out of society.

3689. There would be one good effect of that, that it would lessen their expenditure, I presume?—Yes, it might.

3690. With regard to the expenditure of junior diplomatists, do you think that the Russian Government gain anything by the fact that their junior members spend more than ours?—I think that the Russian diplomacy is, perhaps, the best in the world, and that they derive a great deal of their influence from their very lavish expenditure as a general rule.

3691. Is it not the fact that the great success of the Russian diplomacy arises from the fact that the Russian interests have chiefly relation to despotic courts?—I should say not. But take the case of the United States: that is not a despotic court exactly.

3692. Take the case of Constantinople, and the East generally, where Russian diplomacy has been shown to a very great extent, does not my remark apply there?—I have never been at Constantinople.

3693. Then with regard to the United States, do you think that Russian diplomacy there has been very successful?—I should say that it had.

3694. Do you think that the diplomacy of the United States has been successful in their relations with Russia?—That is one of the great advantages, no doubt, to be derived from a president being able to do exactly what he likes; that if he chooses to be particularly good friends with any one man, or with any one country, he can.

3695. You have said that the Russian diplomacy has been very successful; but is it not the fact, within your knowledge, that the diplomacy of the United States has been very successful, in connection with the interests which they have had in view?—It depends to whom you choose to attribute the intimate and good relationship between the two countries. No doubt, whichever power has had that most at heart, has been very successful.

3696. Do not you think that the diplomacy of the United States with France, for instance, has been very successful?—I should say not; but those are points that I am not qualified to discuss.

3697. And you think that the success of Russian diplomacy with the United States of America has been in consequence of the great display caused by the profuse expenditure of the Russian diplomatic officials?—I say that it has been very much furthered by that. I think that you can hardly over-estimate the value of a liberal diplomatic expenditure.

3698. Then would you be prepared to go to this extent, that the success of diplomacy to a very great extent would depend upon the extent of the expenditure connected with those officials?—Of course, it will depend on how the money is spent; if spent with discretion, I should say, yes.

3699. You are aware that the United States are at the other end of the scale, and that they do not spend money profusely?—I believe, in fact I know, that it has been under consideration more than once of late years in America to establish a close diplomatic service on the exact footing of our own; and the Committee of Foreign Relations at Washington has been occupied for the last two years in trying to draft a plan of service of the same kind as our own. That shows that they are not quite satisfied with what they have got.

3700. Still the expenditure on their service is very small as compared with the expenditure of any other country equally important, is it not?—I do not consider that it is an important or a very wise saving.

3701. But the country of the United States itself is very important, and has very important interests?—Yes.

3702. Those interests are represented by a much less expenditure than the interests of other countries?—Yes, no doubt; but that is owing to their system of being able to take whom they like. They take a rich New York merchant, for instance, and send him as minister to Europe and he likes the status that it gives him, and the position.

3703. Mr. West, writing from Paris, states distinctly this, as his opinion: "The general style of living among the society in which members of the diplomatic body are in the habit of mixing is undoubtedly very much more expensive now than it was in 1850; and in the case of families where a certain amount of representation is called for, adds very much to their necessary expenditure; but this does not extend in the same degree to the majority of the junior members of the profession; and the idea that a constant mixing in a society which can only lead to great and uncalled for expenses is a necessary qualification for a young diplomatist, is, I conceive, a very mistaken one." I understand you to agree with that opinion generally?—Yes.

3704. But then he goes on, "These remarks would, of course, have applied to diplomatic life in 1850, as well as to diplomatic life in 1869, and it is not intended to argue therefrom that an increased expenditure has not become necessary since the former year; on the contrary, my estimate of the cost of living, which is, I believe, a fair one, clearly shows that neither a diplomatist nor any other member of society can live at present upon the same income as he did then;" with that I daresay you agree?—Yes.

3705. Then comes this remark, "But I wish to explain that the pomp and show of diplomatic life does not carry with it the same weight now or is as necessary as it was supposed to be in former years;" would you concur in that view?—I certainly do not concur in that sentiment.

3706. I judge, on the contrary, that your idea is the exact reverse?—That there is more necessity than ever for diplomatic "pomp and show."

3707. You have said, in reference to an embassy house, that it was desirable that there should be a residence for the ambassador, because it gave him more prestige?—Yes.

3708. Which is consistent with the opinion which you are now expressing, that diplomatic pomp and prestige are more important now than they were in former years?—I think that they are fully as important; they certainly are not less important.

3709. Would you not agree with this statement, that when the control of the affairs of a nation was in the hands of the monarch and some small

all number of the principal persons in the untry, then anything that could affect the nds of that monarch and the people surround- him would have very much greater effect an would be the case under the circumstances a popular government?—Certainly.

3710. You would not, for instance, suppose at the pomp of diplomatic display in London ould affect Members of the House of Commons ry much in relation to the public questions nnected with the country?—I consider that ublic opinion might be affected to some extent rough the journals and everything else by the anner in which, say, a French ambassador lived London.

3711. Mr. *Cartwright.*] From your knowledge f the United States would you think that a good eal depends on the pomp and display of our gation at Washington?—I consider it of very reat importance that we should have a handsome stablishment at Washington; and I think that e ought to have the same establishment there s we have at all our other embassies.

3712. Mr. *Rylands.*] Do you really consider hat the public opinion of this country, and the action of our public men would be influenced by the fact that the Paris ambassador spent 20,000*l.* instead of 10,000*l.* a year, and that the United States minister only spent 3,000*l.* or 4,000*l.* a year?—Certainly not one iota by the fact in itself; but in conjunction with other things, I consider that diplomatic expenditure has great influence if properly spent; of course, if not properly spent, it is worse than useless.

3713. You are aware that to the extent that constitutional Government obtains in a country, the power vests in a large number of people who never come into any immediate contact with the diplomatic representatives in that country at all?—Yes.

3714. Then the influence of this diplomatic expenditure must be restricted to those who do come into contact with the diplomatic representatives?—Speaking generally from my experience, I should say that America is the country where a display of that kind would be most important.

3715. And you think that we should affect the opinions of the Legislature, and the official and ex-official statesmen in the United States of America, by giving our ambassador at Washington a palace similar to that which has been partially destroyed at Constantinople, and surrounding him with a degree of state which would place the President himself and the ministers around him in a very inferior position?—Certainly not that; there should be moderation in everything; but I think that his influence and position would be much improved by giving him a handsome salary, and that he should have a proper residence instead of having to go to Willard's Hotel, where he has perhaps to make the acquaintance of a great many people who are a nuisance to him ever after during his stay in the country.

3716. Mr. *Otway.*] I presume that society at Washington is affected by the same influences as society in every other capital?—Undoubtedly.

3717. Mr. *Rylands.*] Leaving these general views, we will come down to the practical details of an embassy; with regard to what you have stated to the Committee in reference to clerks, I presume that we may take it as your decided opinion that in every mission where there is general routine work, it is desirable that there should be a permanent clerk employed?—Yes.

3718. And that that permanent clerk should be a man of education, but not necessarily a man of the character of those looking to the higher appointments in the service?—Yes.

3719. The effect of that would be, you think, to enable us to reduce materially the number of under secretaries of legation?—Yes.

3720. In Paris, to which you alluded, in the case of Mr. Atlee, who fills that office apparently so efficiently, he gets a small portion of his income as consul, does he not?—A very small portion of it.

3721. And he does a certain amount of work as consul; he returns a considerable amount of fees to the Treasury, does he not?—I believe that the fees are very trifling.

3722. But from your practical experience do you see any objection to the permanent official, the clerk at a mission or embassy, transacting consular work in the way that Mr. Atlee does?—At first sight I do not see any objection to it in the least. I never considered the question, but I cannot imagine any objection to it.

3723. The effect of Mr. Atlee being consul is to enable him to have a larger income than he could have if he were simply librarian?—Mr. Pickford, who was the last consul there before Mr. Atlee was appointed, had a large salary; and it was well known that his duties were not very onerous, so that the appointment was very properly abolished, and Mr. Atlee took the work and added consul to his other appellations, and gets, I think, 100*l.* a year for that. There are certain deeds to attend to, but, of course, not being a port, Paris has not a great deal of consular work.

3724. Still where there is a mission and a permanent official in it, you would not see any objection to his being called consul?—I think it would be a great advantage.

3725. With regard to foreign service messengers, you think it desirable that men of high social position should be retained for that service?—Yes.

3726. Do you know the position of the foreign service messengers employed by the other great powers?—Yes.

3727. Are they equal to our own in social position?—No; I should say that we are at the top of the tree.

3728. Did it ever come to your knowledge that any disadvantage arose to those other countries from their foreign service messengers not occupying the social position which our own do?—I cannot call to mind any particular instance, but I am convinced that the foreign service messengers of other countries are not equal to our own in various ways. They are not the same stamp of men; they are not required, as a general rule, to perform the same duties; and they are not equally trusted. And there are not so many of them, to begin with, because we have a very large quantity of official reports and Blue Books, and things of that sort, going round to our missions, and that system is not so prevalent on the Continent, and they have not the necessity for sending about so frequently very bulky despatch bags.

3729. Do you conceive that there would be any serious danger in sending those Blue Books packed up in a good wrapper as parcels by the ordinary means of conveyance?—It would cost more money often. We have a weekly bag, for instance, at the Hague, and it comes much cheaper in that way than if it came by common post.

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3730. Having regard to the fact of the salaries of the foreign service messengers, and all the other expenses which they incur, you think that you can carry packages of that kind between the Hague and London at a less expense than by the ordinary means of conveyance? — Much cheaper than the conveyance that would be otherwise used, namely, the post-office.

3731. But the ordinary means of conveyance by packet?—Of course there are bulky things that have to be sent; but it is not to carry large packages that these messengers are principally used; they might go by the ordinary conveyance, no doubt.

3732. Their great object is to carry confidential dispatches?—They are confidential travelling agents.

3733. And in these parcels there often may be included documents which, in your opinion, could not safely be trusted to the ordinary means of conveyance; I presume that that would be your argument in favour of retaining these high class Foreign Office messengers?—I consider that one of their great uses is, that our foreign service messengers certainly are exempted from a great many little restrictions at railway stations and custom houses; and, not at all as an exception, but I should say as a practice, are enabled to travel quicker than they would be if they were not clothed with equal importance.

3734. Did you ever travel with a foreign service messenger between this country and abroad? —I have done so.

3735. And I dare say you have noticed his luggage, in which these packages connected with the Foreign Office, these sacred and important despatches, and confidential communications are packed up?—Yes.

3736. Have you seen that that luggage when you went to the station was given into the hands of some man connected with the railway, and that the foreign service messenger never saw it again till he got to his destination?—It depends entirely on what the luggage is. A Foreign Office messenger has two bags; he has his bag to put into the luggage van, and he has his bag to take with him into the carriage; and that bag is made up separately at the Foreign Office, and the despatches of importance he does not separate from himself.

3737. You think it is the fact that packages containing matters of importance are not sent in the way that I described, by passenger luggage van?—Certainly not.

3738. Are you aware of the instructions that are given to the foreign service messengers in relation to this matter?—I have never read them.

3739. I understood you to say that an advantage attaches to these gentlemen, because of their position?—Not so much because of their position; I should say that it is of very great importance that they should have ready money at their command. Very often a few francs will help them to catch a train, which, if they were very parsimonious, they might miss.

3740. The foreign service messengers have some badge, I think?—They have none now, that is to say, they do not wear any distinctive badge.

3741. But if they require any attention they can show it?—If they require any attention they can show their red passport.

3742. Do not you think that they get that attention from railway companies, and so on, to which you have referred, from the fact of their official position, rather than from the fact of their happening to be what we call gentlemen of rank? —I think that it is the combination that enables them to perform their duties as they perform them now; the fact of their being outwardly of very good appearance, and having a certain amount of money in their pockets, which they can distribute to the porters at railway stations, and that sort of thing, and also the fact of their being very good linguists; I think that the combination of the three enables them to perform their duties, as they perform them now, in the most highly satisfactory manner; and I think that you must be very careful how you reduce their position.

3743. Then I gather that you think that all the different departments of the foreign service should be well paid, in order that in our operation with the rest of mankind, we should spend money so freely as to produce an influence favourable to us, either by bribery or by other means?—I think that it is impossible to shut our eyes to the fact that the wise spending of money does produce very good effects, and that the ill spending of money does produce very bad effects; you must carefully choose your agents who are to spend the money.

3744. Mr. *W. Lowther.*] I think that there is an arrangement that attachés, or the junior members of the diplomatic service, should be moved continually; what is your experience with regard to the expense to these juniors, of moving?—If they are married the expense is very great; if not married, the expense is not very considerable.

3745. Is that the subject of great complaint amongst them?—I should say not as a rule.

3746. *Chairman.*] You have been moved a great deal yourself?—Yes.

3747. It was not really a serious grievance to you, as I understand you?—No.

3748. Mr. *W. Lowther.*] You said in one part of your evidence that frequently copies have to be made of the same paper; under what circumstances would those copies have to be made?—It constantly happens that you require a copy of a document for the archives, and a copy for communication to the government to which you are accredited, and a copy of the same paper for the Foreign Office, and perhaps a copy of the same paper for a consul.

3749. You said something about ambassadors dining at a *table d'hôte;* have you known any instance in your own experience of an ambassador doing that?—I cannot say that I spoke then from having any particular instance in my mind.

3750. Have you ever heard of an ambassador doing so?—I cannot say that I can call to mind ever actually having seen an English ambassador dining at a *table d'hôte,* but I have not the least doubt that the thing has occurred frequently.

3751. You stated that an ambassador arriving at his new post was put to inconvenience if there were no embassy house, by having to live in an hotel and dining at a *table d'hôte;* I wish to know whether you know an instance of an ambassador dining at a *table d'hôte* at the capital of the court to which he is accredited?—I have never known an English minister do it, but I have known foreign ministers do it very often, and I do not think that they gain by it.

3752. With regard to the members of the diplomatic service exchanging with the clerks in the

e Foreign Office, have you ever remarked a ndency on the part of the clerks in the Foreign ffice to avoid the smaller missions or the dis-reeable posts?—Certainly, to avoid the dis-reeable posts, but not the smaller missions.

3753. But you would find that there would be ss difficulty for a man at Paris or Vienna, or orence, to change with a clerk in the Foreign ffice than for one of the others to do so?—Cer-inly; it stands to reason that that would be the se.

3754. What posts were you at on the two oc-sions when you offered to change with a clerk the Foreign Office?—The last time that I did I was at the Hague, I believe. In the other se I was on leave; I was not attached to any ission at the time.

3755. I think your plan is, that there should promotion by seniority amongst the subordi-ates in the diplomatic service; are we to under-and by that, that if there was a vacancy at thens, you would think it worth while to send man from St. Petersburgh to Athens, to fill up at post?—If you mean one of the second or ird secretaries, I should not appoint the man ho happened to be at Athens, simply from the ct of his being there, for the accident might nd him over the heads of 20 or 30 men equally eserving, or perhaps more deserving than himself.

3756. But if a second secretary at Athens as to give up, and the man next to him in the oreign Office list was at St. Petersburgh, would ou send him from St. Petersburgh to Athens, fill up that post?—Not necessarily.

3757. With regard to the nomination of Mr. ayard to Madrid, which has been more than nce alluded to, can you conceive that Mr. rskine, who has been at Athens since 1864, ould have felt rather pained at Mr. Layard's ing named to a first class post like Madrid?— daresay that Mr. Erskine, like all the others ho were interested, felt himself rather aggrieved y that appointment.

3758. You think that that feeling would be ared by others?—I should say that that feeling ould not be confined to Mr. Erskine, but that it ould be very general.

3759. Do you think that on the whole the epresentatives of the United States enjoy the ame position at foreign capitals as the represen-atives of other countries?—I should say that wing to the system that is followed in the con-uct of the United States diplomacy, they most ertainly do not occupy so good a position as our iplomatists abroad; not that the men in them-elves are inferior at all, but that they occupy ntirely different positions, and there is not so uch expected of them. The United States onsuls perform a great deal of work that is per-ormed, as you know, by our diplomatic agents; nd it is very customary for the United States inister at a small court to have a country place nd reside there entirely, and, perhaps, come in nly once a month, or once in three months, into he Residence.

3760. You have known an American minister t a foreign court do that?—Yes, I could quote he instance of the American minister, nominally t the Hague, but who lives at Haarlem, where e has a very nice little country seat, but does ot perform any duties; he always comes into the Hague on New Year's day for instance; and ou would not be satisfied with your minister oing that.

3761. Do the United States ministers know generally what is going on in the country?—I should say that they are not by any means as well informed as our ministers are; but as I said before, their consuls do a great deal more work in the political line than our consuls do.

3762. Is there a French ambassador at Madrid?—Yes.

3763. And at Berne?—Yes, and a very large staff indeed.

3764. With regard to constitutional governments abroad, what countries should you consider to have constitutional governments?—I should think that most of them have more or less now.

3765. Do you think that there is that same publicity abroad that there is in England, with regard to what is going on?—I think very nearly the same; not quite the same, but that has been reduced to a level very much.

3766. With regard to the gentlemen at the embassy of Paris, have they to work after dinner sometimes?—Very frequently all night. I know that when I was there an uninterrupted night's rest was a very great rarity; we used always to have to leave our addresses, and we used to be sent for at three or four in the morning, or at any hour to decipher telegrams.

3767. I suppose that going into society would increase, to some extent, their expenses?—I should think it would, but not very materially, unless married.

3768. Do you think that that would operate as a motive for keeping them out of society?—No, I do not consider, in the case of Paris, that it is the expense of entering society that keeps them out of it.

3769. Have you observed that amongst the subordinates in the diplomatic service, any man who has acquired a special knowledge of any language has been rather promoted over the heads of others?—No, I have not observed that.

3770. Are you aware that Mr. Parkes was sent to Japan?—Yes.

3771. And Mr. Doria to Lisbon, and Mr. Watson to Greece?—Yes.

3772. I believe Mr. Parkes was a very good Chinese scholar?—Yes.

3773. Did he know much of Japanese?—Well, Japanese is so easy as compared with Chinese, that he would pick it up in a fortnight. I should say that he resided at Canton many years, and had had a good deal of knowledge of the Japanese language before he went to Japan, and he had also accompanied Lord Elgin to Japan, on his first mission; so that he was not a stranger to the country, nor unacquainted with the language.

3774. Then Mr. Doria was for some time, I think, at Constantinople, where he would not learn Portuguese?—Yes; but I do not know much about Mr. Doria's career.

3775. Mr. Watson, I think, had acquired a good knowledge of Turkish or Persian?—I cannot speak as to that, but I believe that he did acquire a good knowledge of Persian.

3776. Are you ignorant of the instructions to the Foreign Office messengers, with regard to certain despatches that are given to them?—I cannot say that I ever read the instructions to foreign service messengers.

3777. Have you never seen them put up in the

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the chancery at the legations where you have been?—Yes, I have seen them put up; but not being a Foreign Office messenger myself, I did not read them, or, if I did read them, I have forgotten them; but they have been so frequently altered, that I cannot say whether I have read the last.

3778. Mr. *Otway.*] I learn by the paper which you have handed to the Chairman, that you are about to leave the service?—At the expiration of my present leave.

3779. Will you allow me to say that I learn it now, with regret, for the first time. I see that you have propounded a scheme for having seven ambassadors, at 10,000 *l.* a year each; and so many ministers, I think, at 6,000 *l.* a year. Now I see that the whole diplomatic service, taking ambassadors and attachés, and all together, amounts to 125 persons, speaking roughly?—Yes.

3780. Are you aware of any profession or any service in the world which would admit of so many prizes among 125 men as seven prizes of 10,000 *l.* a year, and so many as 6,000 *l.* a year to be confined exclusively to these 125 members; or has such a profession ever been contemplated?—I should say that the Indian Civil Service is much better as regards pay than our diplomatic service.

3781. But with regard to the number of prizes, are there anything like seven posts in India of 10,000 *l.* a year?—Much more than that number.

3782. You must exclude, of course, the governors of presidencies?—Yes; but taking the members of council and the lieutenant-governors, you have a great many more than that number.

3783. And also you must look to the proportion of men in the Indian Civil Service?—The Indian Civil Service proper is not at all a large service.

3784. Is it not eight or ten times as numerous as our diplomatic service, including the military officers in civil employ?—I should say not eight or ten times as numerous.

3785. I presume that you would make a difference between a man who spends his life in Benares, or a climate of that sort, and a man who spends it agreeably in Paris?—But there are not many in the diplomatic profession who have the chance of being in Paris.

3786. You object to any gentleman, not one of these 125 ever being appointed to an embassy or mission?—I consider that the interests of the public service would be best promoted by the appointment of a person from the 125. Of course, if the Secretary of State can say that he has no man of the right sort available in that number, there must be one taken from outside.

3787. But the honorable Member for Warrington put to you that that would be putting an invidious task upon the Secretary of State, and you agreed that it would?—Yes.

3788. You have spoken of the French diplomatic service, which no doubt deserves your praise; are you aware that many of their most eminent diplomatists now, or lately living, such men as Guizot, Thiers, Flahault, Pellissier, Fleury, and Sebastiani, were not in the diplomatic service at all?—Yes.

3789. And that for instance, La Valette, Walewski and Benedetti, and others, did not begin in it or go through the regular diplomatic grades?—That is so, I believe.

3790. Those are men of great celebrity, and yet they either were never in the diplomatic service, or they did not go through the regular diplomatic grades; you properly eulogise the French diplomatic service; why would you place restrictions on the service of this country by confining these large prizes to the close profession of 125 men, when such restrictions are not placed on the French service?—They have practically become (it is difficult to say why) confined to these 125 men, and I do not see that the system works badly.

3791. Yet you are aware that every now and then it has to be departed from?—Every now and then the system is departed from, but I am not aware that it has to be departed from; there may be a political necessity, no doubt, occasionally.

3792. You must suppose the Secretary of State to exercise his choice on his individual responsibility?—Yes.

3793. And where we can ascertain that there can be no private inducement of any sort or kind operating upon him, and that he selects those whom he considers the right men for the benefit of the public service, surely that would be reason for saying, when you see a man of eminence from outside placed in a post, that the Secretary of State placed him there because he considered him better qualified than any man in the service available for the post?—Yes, that is the presumption.

3794. Therefore, if there were a comparison between Mr. Layard and Mr. Erskine, naturally the Secretary of State would defend himself, if it were necessary for him to do so, by saying that he considered that public reasons rendered Mr. Layard more fitted for the post of minister at Madrid at this present moment than Mr. Erskine?—Yes; I did not myself mention Mr. Erskine's name in that connection, but it is notorious that the whole service felt aggrieved by the appointment of Mr. Layard to Madrid; of course that was an appointment made by the Secretary of State on his own responsibility.

3795. Probably you are aware that Mr. Layard filled the office of Under Secretary for Foreign Affairs for five years?—Yes, I know that Mr. Layard is a man of varied experience.

3796. And that position which he occupied for five years is one of the most important of diplomatic posts?—Certainly.

3797. You could not say, therefore, that Mr. Layard was not entitled, even by professional connection, to hold that post; but are you aware that the Secretary of State gave evidence here the other day that it has always been considered and that the principle has been several times acted upon, that the Under Secretary of State for Foreign Affairs has, if he chooses, a claim to a mission?—Yes; I wish it to be quite understood that I was not the first to refer to Mr. Layard's appointment; I did not refer to it till the question was put to me.

3798. I only want to exonerate the Secretary of State from some amount of censure implied for appointing a gentleman of eminent distinction, who had been five years Under Secretary of State at the Foreign Office, to the prejudice, as it is presumed, of other men in the diplomatic profession; but you admit that he may have appointed him for the public interest believing him to be the fittest man for the place?—Of course that is the presumption, and it is in that presumption that the hardship lies, because it is tantamount to telling the world that of these 125 men

men there is not one that could be selected that post.

3799. You must not take the whole number of 5, because you do not suppose that he could re selected one of the attachés, for instance, the post?—Reduce the number if you like to five secretaries of embassy; it is tantamount telling the world that there is not one of those e secretaries of embassy who is a fitting man be sent to Madrid.

3800. Is it not tantamount to saying this, rather: These five secretaries may be qualified for is post, but I have found a man who for certain asons, and for the public service, is more qualid for it then they are?—Yes, and I consider at the hardship lies in that.

3801. I observe that you have in your evince, to which I have listened very carefully, oken of the convenience of individuals, but ove the convenience of individuals you must ways put the public service, must you not?—es, certainly; but I maintain that the public rvice is not furthered by having a discontented rvice, and I think that our diplomatic service becoming a discontented service, and that the ublic service will suffer from that, as it is now e attachés on first joining receive no pay, and as little work as they can; and in the same ay now you have a larger staff than I think ould be necessary if they all worked with a ill, which they would do if they saw a chance getting on. Now they work with a will if ey like, but if they do not, they get on just as st, and I contend that it cannot be for the ublic interest to have a discontented service, nd as I say, the service is becoming more and ore discontented.

3802. I think that in all services there is what ou call a tendency to discontent; still the fact emains that there are very few retirements ineed from the diplomatic service; since I have een connected with it, which is a year and a alf, or more, I think I can only recall three reirements from the service; therefore that discontent does not show itself in any such way as ill admit of getting rid of this block which we ear of?—No, but when you alluded to the ulk of my evidence, having reference to the convenience of the private members of the service, and placing them in an attractive position, nd so on, I wish it to be understood that I made my suggestions always with a view to the public service being served in the long run.

3803. I mean that you have referred, in several cases, to the question how a man's feelings would be affected, and that a certain rule would be a hardship to him, whereas I should be disposed to contend that the first consideration for a public man must be the public service, and that, though it would be very much to be avoided that any man in the service should be placed in a humiliating position, the public service must be the first consideration. In order to clear up some mistakes, let me ask you this question: you are not generally acquainted with the regulations or with the conduct of the foreign service messengers; you only know what has come within your own experience?—I can only know what has come within my own experience.

3804. You cannot know generally whether the service of foreign messengers is conducted to the satisfaction of those in the Foreign Office or not? No.

3805. [Viscount *Barrington.*] You stated just now, with regard to attachés, that they did not do more work than they could help?—I have come across attachés of that description.

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3806. It would not be their business to originate work, I presume, but to do the work set them to do?—Yes; but there are two ways of doing work.

3807. Have you found that there has been a great indisposition on the part of the junior members of the service to do the work set them to do?—Certainly not, judging the service as a whole; but I am certain that there would be a much greater willingness to put themselves to inconvenience to do their work if they were paid for it.

3808. You spoke of your experience in America with regard to the use of copying machines; are you aware that that question has been already before the Committee, and that we have had evidence from Mr. Hammond on the subject, to the effect that the use of copying machines is not likely to be advantageous, because these despatches have to be filed and kept among the archives, and that, from the fact of the paper being damp, or from the kind of ink used, there is no means of preserving them?—I was not aware that the question had been raised before this Committee.

3809. You have not heard any complaint of that kind in America, where the copying machines are used?—No.

3810. *Chairman.*] As I understand you, when you were at Washington, the mission had letters from the American government constantly, which you could see had been copied by the press?—Yes.

3811. Were these regularly bound and filed with the other papers?—Yes, they were bound with the other archives.

3812. Have you had any evidence of their perishing?—Not the least, while I was there; and, moreover, I believe that these copying presses are in general use in mercantile houses, and that the letters do not deteriorate there.

3813. Viscount *Barrington.*] Did I rightly understand you to say that you are satisfied with the present system of examination on entering the service?—Yes, on the whole, I am quite satisfied with it. I think that it would be better to have one examination, and I think that you might, with advantage, introduce the Foreign Office system of having a competitive examination among three nominations; but I have no particular remarks to make about the examination.

3814. You are against gentlemen entering the service for a certain length of time, without making it a profession, and having a stricter second examination for those who mean to continue in the profession?—No, I cannot say that I am against that at all. It answers very well in the French service where an ambassador is allowed to have one or more attachés, who are considered as hardly forming part of his official establishment, but simply as a kind of aides-de-camp; persons who do work all the same.

3815. Do you think that our ambassadors should have private secretaries paid by the public?—I consider that it is almost impossible for the ambassador at Paris, for instance, to get on without a private secretary. Whether that private secretary should be paid by the public or not is another question.

3816. Does your experience go to show that sufficient

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sufficient knowledge of French and German is attained by the junior members of the diplomatic service to enable them to carry on conversation fluently in those languages?—Certainly; as regards French, that is the case.

3817. Are you aware that the examination in regard to conversation in French has been discontinued within the last few years?—I was not aware of that.

3818. You are not in favour of that course, I suppose?—No; I would maintain an examination in French conversation.

3819. What is your experience with regard to telegraphic communication; do you think that it diminishes work or that it increases it?—I think that it increases work very much.

3820. I suppose that you are very often unable to decipher the exact meaning of the telegram that arrives?—No; one gets very quickly into the habit of deciphering it, and it is a very rare occurrence that you cannot make it out, even although there are one or two errors perhaps.

3821. And do you think that these telegraphic communications actually diminish the responsibility of the minister very much, or that they act only in the way of hints to him?—As a rule, they no doubt diminish his responsibility, but circumstances may arise in which they may increase it, by their following one another very rapidly, and through their contradicting each other, or a minister reading them as such, they may increase his embarrassment.

3822. I understood you to say that you are very much in favour of the transfer of attachés and junior secretaries backwards and forwards between the Foreign Office and the different missions?—I am very much in favour of that.

3823. Do you think that a gentleman who had been acting as secretary at a mission would be perfectly competent to carry on the business in the Foreign Office when he was transferred to that office?—I cannot conceive why he should not.

3824. Mr. *Cameron.*] Do you think that your plan of having chanceliers would be sufficient to supply the number of second secretaries whom you would reduce?—I consider that it would be sufficient. At present I do not think that you have 16 attachés, but I think that 16 attachés, and such a staff as I have indicated, would be amply sufficient to perform the work in those embassies and legations which I am personally acquainted with.

3825. You would only suggest having the chanceliers at the embassies, as I understand you?—Yes.

3826. Therefore, you would not be able to reduce any second secretaries at the smaller missions, would you?—If the plan answered, I should not see any objection to extending it to some of the important missions; and in the first place, I would certainly have it at Washington and at Florence.

3827. There is already a chancelier at Paris, as you have told us; does his presence and employment there tend to reduce the number of second and third secretaries employed there?—No doubt if Mr. Atlee were to be removed, and no successor appointed, it would add materially to the work of the chancery; for the attachés would have to take into their own hands the registration and the charge of the archives, and a variety of work now performed by Mr. Atlee.

3828. Mr. *Otway.*] When you speak of registration, do you mean the registration of despatches?—The docketing and registering of despatches.

3829. Is that done by Mr. Atlee?—It was when I was there, and I presume is so still.

3830. Mr. *Cameron.*] But there are at present as many subordinate members of the service at Paris, even apart from Mr. Atlee, as at other embassies, are there not, indeed more?—Yes, but Paris is an exceptional embassy; as Mr. Hammond said in his evidence, it is practically a branch of the Foreign Office.

3831. Some suggestion has been made to the Committee of the employment of clerks of an inferior social position to the ordinary attachés and secretaries; do you think that that would be productive of benefit to the service?—I do not see any objection against it. I think that it might be done with great convenience, particularly in a place like Paris where there is so much copying to do.

3832. Do you think that there would be no difficulty in discriminating between the work for the ordinary attachés and secretaries, and that to be given to these clerks?—I do not conceive that there would be any difficulty in that respect.

3833. No confusion would arise, you think, from some despatches being given to one class and some to another?—No, I should conceive not; it is what they have in some public offices; they have a secret department where they have a different style of officers.

3834. In fact, from your experience in the service, you think that this plan might be tried?—It might be tried, I think.

3835. And as to the promotion amongst the chanceliers, would you have the promotion entirely confined to the chanceliers, or would you have a chancelier appointed from the rank of attaché, and the promotion mixed up?—No; I would not have it mixed up, but quite distinct like the French system.

3836. Have you any observations to make about any rules that you would suggest with regard to marriage among the junior members of our diplomatic service?—I think, as regards marriage, that we might take another leaf out of the book of the French service, with great advantage. If I am rightly informed, in the French service, it is necessary for a junior before he can marry, to get the consent of his chief, and of the French Foreign Office; and I think it would be productive of very good results if we had a regulation of the same kind in our service, particularly now as it is a marrying age that we live in. All the attachés are getting wives; and then they make a great objection to moving, from the extra expense that it entails on them.

3837. Have you ever thought as a means by which the block in the service might be removed of reverting to the old practice of allowing ambassadors to appoint attachés themselves, it being understood that such attachés are not part of the regular service, but that they form merely a class of extra attachés, and that when the minister retires or resigns, the attaché shall not be considered to have any claim on the service?—Yes; I consider that that would be a very good plan, and that it would facilitate the reduction of the 10 or 11 second secretaries which I advocate very much.

3838. Of course the obvious objection to such a plan would be, that having attachés not paid but as members of the family of the ambassador

lor, they would be inclined to shirk their rk; would that be a valid objection to the n, do you think?—No; I think that you uld manage to get work out of them.

3839. With regard to the distinction which u drew between first and second class mis- ns, I noticed that you mentioned Copenhagan a first class mission, and Stockholm as a ond class one. Might I ask your reason for awing that distinction?—I confess that my ason was the family alliance between the two rts.

3840. But the importance of Stockholm to , I suppose, is fully as great as that of Co- nhagan?—I suppose it may be so.

3841. Do you think that we should have a gher class of minister at Copenhagan, on ac- unt of the family alliance?—I consider that should.

3842. With regard to the success of the merican diplomacy, I wish to ask you whe- er the success of that diplomacy may not ther be ascribed to the vigorous and deter- ned action of the home Government, than to e excellence of their diplomatic system?— rtainly; I entirely agree with that view.

3843. Mr. *Kinnaird.*] Owing to the evident ck in the service, and the partial discontent ich exists, you are not sorry, perhaps, that examination of this nature has taken place?—Quite the contrary. It may do a great deal good; I do not think that it can do any rm; I think that the more that is known out our service the better; it is very im- rfectly understood, and I do not think that gets credit for a great deal of the work per- rmed.

3844. You said that you were in favour of the tention of small missions for the purpose of lacing in them the less competent men in the plomatic service; you do not mean missions at are evidently useless, I presume, but the naller missions?—I would not re-establish any the missions that have been discontinued, but think that there would be an argument for the reservation of such as remained, in the fact that is very valuable to have these places for men hom you cannot turn adrift, and who may not e equal to the first places.

3845. As I understand, nothing that you have aid implies that you have any reflection to make pon the American diplomacy, as a rule?—Not t all, but upon the American system. I con- ider that their system is a very bad one, and I lo not believe that it will last.

3846. You think that they must adopt the lan of paying their ministers in great courts better than they do?—Certainly, and I am certain that they will.

3847. And the success of American diplomacy is, you think, from the natural vigour of the State, which really carries great weight with it for the moment?—Yes.

3848. Mr. *R. Shaw.*] Have you considered what would be the extra cost of your new scheme to the country?—If it were carried out by commencing with a reduction of the number to the extent of, I think, nine or ten second secretaries, I do not think that the cost to the country would be very great.

3849. You complain of the inadequate pay of the service; were you not aware of the terms of the service when you entered it?—Yes.

3850. Are you not aware that at the present time there is no difficulty in obtaining the services of any number of attachés?—Certainly I am aware of that.

3851. When you entered the service in 1858 were the chances of promotion greater than they are at the present moment?—Yes, much greater; there were six missions more then than there are now.

3852. But are there not fewer second and third secretaries now than there were in 1861?—I believe, on the contrary, that there are more now than there were then; and there are six missions less in Europe alone, besides some others, I believe, reduced in South America.

3853. In reference to these facts, then, you entirely differ in opinion from Mr. Hammond?—With regard to these facts I maintain that we are not in the same position now as when I entered the service.

3854. After what length of service, according to your idea, should persons attain the rank of first secretary?—I should say after 15 years.

3855. And after what length of service do you think that they ought to attain the position of a minister?—Not under 20 years.

3856. You have complained of the stagnation in the promotion of the diplomatic service; have you compared it with the promotion in other professions, such as the army, the navy, and the bar?—I cannot say that I have compared them.

3857. Then you are not prepared to say that promotion is slower in the diplomatic service than it is in the other professions which I have alluded to?—I have not made that a study, and I am not prepared to speak on it.

3858. Have you compared the pay of the diplomatic service with that of the army or navy?—No.

3859. Then you are not prepared to say that the pay in the diplomatic service is inferior to the pay in the army or the navy?—No, I am not.

Thursday, 16*th June* 1870.

MEMBERS PRESENT:

Mr. Baring.	Mr. Otway.
Viscount Barrington.	Mr. Arthur Russell.
Mr. Bouverie.	Mr. Rylands.
Mr. Eastwick.	Viscount Sandon.
Mr. William Henry Gladstone.	Mr. Sclater-Booth.
Mr. Holms.	Mr. Richard Shaw.
Mr. Kinnaird.	Mr. Frederick Stanley.
Mr. William Lowther.	Mr. Frederick Walpole.

The Right Honourable EDWARD PLEYDELL BOUVERIE, in the Chair.

The Right Honourable George William Frederick Earl of Clarendon, K.G., G.C.B. (attending by permission of the House of Lords); further Examined.

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3860. Mr. *Rylands.*] In respect of the appointment of Mr. Layard, to which allusion was made in the last examination, I presume that your Lordship is aware that it created great dissatisfaction in the service, as stopping promotion?—It certainly did create a great amount of dissatisfaction.

3861. The dissatisfaction arose, no doubt, from the fact that the secretaries of legation look forward to the appointment of minister, but the clerks in the Foreign Office simply look forward to the appointment of chief clerk or assistant under secretary, and do not look forward to the highest office in the department; supposing that a similar understanding existed in the diplomatic service, and that the promotion of the secretaries of legation ended, so to speak, with the rank of secretary of embassy, there would be no dissatisfaction in the event of outsiders being appointed by the Foreign Secretary as heads of missions?—But I think you limit the ambition the aims of secretaries of legation unduly. I think that there is no man who enters the profession that does not hope to get to the top of it, just as any man who is called to the Bar thinks that he may be Lord Chancellor, but does not always get to that. Certainly their ambition is not limited to being secretaries of embassy.

3862. Certainly not, in the present state of things; but does not your Lordship think that it would be a desirable state of things that the Foreign Secretary should be at liberty to appoint men of public character and position in connection with the political parties at home as heads of missions?—I think so.

3863. My object in drawing your attention to this is to refer to an opinion which was expressed by Lord Wodehouse in the evidence before the Diplomatic Committee of 1861, before which he expressed a very strong opinion that it was desirable that the heads of the principal missions abroad should occasionally, and not unfrequently, be appointed outside the mere line of diplomatic promotion; is that your Lordship's view?—I do not see that that is necessary; an occasion may arise when you may think that a certain man is particularly fitted for a mission, and you would then take him, though he was an outsider; bu *cæteris paribus*, I should prefer to take some on in the service. And, with respect to the disco tent that Mr. Layard's appointment created, I d not think that it was borne in mind that it is practice of the Foreign Office (I do not mean say that it is very frequently resorted to) that a under Secretary who has served well, and f some time, goes out as a minister. There hav been several instances of that. I have not g them present to my mind at this moment, but could tell you four or five cases in which th under Secretaries of State have gone out, *eundem*, so to speak, to a mission. Therefo there was nothing contrary to the well-know rule of the Foreign Office in appointing M Layard.

3864. That I quite understand; still the di satisfaction does exist, and I presume the know ledge that the Foreign Secretary has of such di satisfaction would have a tendency to lim appointments of that character?—Certainly; an man at the head of a department would be ver glad to limit dissatisfaction; and if there is n particular reason for going out of the line would not be done; but I say, although seniorit is the rule, there must be some exceptions to i Now, with regard to the Foreign Office clerk I do not know what exactly may have been th rule many years ago with respect to rising in th department. For instance, take the post of pe manent Under Secretary; I think that that is most excellent place, the most interesting plac probably in the Government. Well, it has no been usual to give that by seniority. In the Indi Office, generally the Secretary of State has give it to one of his friends, and certainly it is a mo valuable and agreeable appointment. I thougl that Mr. Hammond, who was in the office, was fitter person for that post than any friend of min outside that I could appoint, and I appointe Mr. Hammond; but he was not the most senio he was a senior clerk, but not the most senio there were others before him; I put him the because I thought it would be good for the publ service, and he has justified that expectation. S that the rule of seniority is, although adhered t whe

ere possible, as far as I am concerned, is never absolute bar to what I believe would be preible for the public benefit.

3865. Of course, I have been asking these estions not on the ground of any personal obtion to Mr. Layard's appointment in any way? quite understand that.

3866. With regard to the small missions in rope, has your Lordship considered whether re might not be an economy by the suppresn of some of the appointments which now st?—By the small missions in Europe, I aphend that as usual Stuttgardt is particularly aded to; that generally paves the road as reds the small missions. I am not favourable the abolition of that mission. I have conered it very much and I do not think that it uld be expedient; it is not an expensive misn. I think that the present movement would inopportune for suppressing it. Germany is w divided into two parts, each having a very ferent political significance and importance, mely, the North German Federation and South rmany. I think that both will play a conerable part in the future history of Europe, d as we have no longer got a minister at ankfort I should consider that the present ment would be inopportune, as I said, for ing away with those two missions in South rmany; there might not be perhaps much nsideration here for the English public there; t I think that it would be taken as an affront the sovereign of the country; I think that it uld be taken generally in Europe as a proof at we cared less for the interests of Germany an we do, and I think also that it would put a rge portion of the British public who reside in urtemberg, at Carlsruhe and other places to nsiderable inconvenience. I think that the ving of 3,000 *l.* or 4,000 *l.* a year, particularly this moment, really would not be a compensaon for that. I think that it would injure our estige in Europe as showing an indifference to rman politics which I do not think we do feel, d which certainly we ought not to feel, and I ould be opposed to the abolition of that misn.

3867. Stuttgardt and Munich, being both in outh Germany, do you think that in both cases is desirable that we should maintain the misn?—I do not think, considering what the preent state and the future prospects of Germany re, that those two minor missions in Germany re more than we ought to have for our influence Germany, and for the convenience of the British public there.

3868. Does not your Lordship think that it ight be sufficient to have chargés d'affaires at hose two points, the one at Munich being under he minister at Vienna?—No, I do not think that hat would be worth while. You might, I dare ay, get British interests cared for if you had a onsul in either of those places who would be nder the embassy at Vienna. But I do not hink that that is expedient. We must look a ittle to our character and position in the world; nd if we let ourselves down, people are genelly put a little lower than they place themselves.

3869. But is it not the fact, that whatever ight be the impression produced by this line f policy there, it is well understood that the olicy of England is not to interfere to so great n extent as was formerly the case in European olitics?—Certainly, we are pursuing now a policy of non-intervention. We do not threaten; we do not bark when we do not intend to bite. But if you think that that has diminished our moral influence I think that you are greatly mistaken. I think that people are apt to say that if we held a high hand, and used menacing language, and said we would not bear this or that, things would be done as we pleased. But other nations have just as much independence as ourselves, and just as much resent undue interference with their affairs; but, with regard to the moral influence gained by a community of interest and desire to promote the good of all, and particularly to promote peace, that moral influence would be gained by the residence of an efficient man in the country, and it is far more valuable and useful to this country, and makes it more respected than all the threatening in the world. As to the minister at Hamburg, I may say here that Hamburg now makes part of the German Confederation; it has ceased to be of any independent influence, and any influence that we have in the German Confederation should be exercised at Berlin, and that mission was abolished.

3870. I am quite sure that I should subscribe to every word that your Lordship has stated, with reference to the moral influence of this country in connection with the missions abroad. In some of the capitals of Europe there are consulates as well as missions, and I wish to ask your Lordship whether you see any objection to an arrangement being made under which one of the secretaries of legation should undertake consular duties in those capitals, so as to avoid the necessity of two separate appointments?—There are some capitals (take St. Petersburgh, for instance) in which the consular duties are so constant and of such various kinds that I do not think that you could get one attaché to do the work. Supposing that the attaché is necessary in the mission or embassy, he has tolerably full work; and I am quite certain that if he had to do the consul's work, the notarial work, and all that sort of thing, would be constantly behind hand.

3871. Do you think that that would be the case in a capital, such as Lisbon, or Stockholm, or Vienna?—In Vienna, I believe there is a consul, but I think that he is more like a lawyer than a consul; I do not remember really what the pay of the consul there is. But certainly at Lisbon you could not expect the thing to be well done if you were to have an attaché for the consular work. I assume by the hypothesis that the missions are not over manned; you cannot well spare any one man to devote his time to any other duties than those of the mission, and I think that if he were required to do consular duties, either one or the other, either the consular duties or the chancery duties would suffer.

3872. Do you think that it would be a practicable plan to have a permanent officer in the mission of the nature of a clerk or chancelier, who should attend to a certain class of the duties of the mission, and should also attend to the consular duties of the place in which the mission was?—I went rather fully into that on the last occasion you know, and I do not think that it would be expedient. It is done where it can be done. There are certain consular duties and notarial duties that are done now in that way at Madrid; there happens to be an extremely intelligent young man there, and he does that work; but then you know in Madrid you cannot call it really consular work; it is a town in the centre of

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of the country; there are no shipping interests, and nothing in the way of distressed British seamen, and the infinite variety of consular duties of course have not to be performed at a place like Madrid. But at other places, particularly at such an one as I instanced just now, St. Petersburg, I think, that one or other of the services would suffer if such a plan were adopted.

3873. I think that your Lordship had very much to do with the arrangement under which secretaries of legation were required to present reports upon trade and commercial matters, and other points of interest. The object of the reports, in the first instance, I understand (we gathered that from Mr. Hammond, I think), had reference more particularly to the practical education of the secretaries of legation than to the obtaining of information for the uses of the public?—I think that there was a double object; to render the secretary of legation or embassy as useful as you could, to improve his education and his fitness for his profession; and at the same time you secured a great deal of useful information for the public; and I think that it has answered remarkably well; I think that the chambers of commerce, and the people who have received the reports here, have greatly profited by them; they could not have got them for themselves. There are three or four reports that I could mention as specially valuable. I think that it would be invidious to mention one gentleman more than another; but there have been reports, for instance, on manufactures, on the production of silk worms in Japan, on the industrial classes of the United States, and on a variety of other subjects, which really have given information, which is entirely new, and very useful for people here.

3874. There can be no doubt about that; but does your Lordship think that there would be an advantage in these reports going through the heads of missions, and in fact the heads of missions being to some extent, and to a great extent, made responsible for the reports, they giving to the subordinates the duty of obtaining information and making up the reports upon the subjects to which their attention is directed?—I think that if a man collects the information, and writes the report, he is the chief person in that work. I cannot say that I have ever asked heads of missions whether they take interest in these reports, but I have not the smallest doubt that they do: that the secretary of legation or embassy employed in such a work as that must consult his chief; the chief knows very well what facilities he has procured for him; I should think they go hand in hand, although the secretary, who is the man that collects the information, and is responsible for its correctness, and writes the report, is of course the person chiefly interested. But those reports are always sent home by the minister; I have no doubt that no minister ever sent home a report without reading it first with the secretary of legation or embassy, because anything which he thought was incomplete or incorrect he would notice.

3875. We may, at all events, take it that it is your Lordship's opinion that that is the course that should be taken by the heads of missions, so as to prevent any introduction of matters that ought not to be published?—I cannot have the least doubt that it is done; it seems to me to be such a very ordinary piece of duty that one would not think of asking if it were done. The minister or the ambassador sends home this report himself; the subject has been taken up, and this report forms an enclosure in his despatch. I do not consider that there would be such a supervision as would dispense with the reading over the report at the Foreign Office before it is printed and circulated. Every now and then we have words in a report that might give offence in the country which the report relates to; but I must say, that the reports (of course they go back to the countries to which they relate) have generally given much satisfaction to the people of the country; they have been glad that their affairs have been so investigated; and even when things have been said that are not quite flattering or satisfactory to them they have perhaps entered into explanations, but they do not in the least annoy or offend the countries to which they relate.

3876. Would your Lordship consider that it was right, in the preparation of those reports, that the second secretaries of legation should when so directed by the heads of missions, render assistance in obtaining information as to the matter of those reports?—I should say that anything is right for a second or third secretary of legation to do which is required by the service, and is directed by the head of the mission, just as in any other department. We have a staff entirely at the disposal of the minister, and if he found that the first secretary, from want of time or health, was not able to travel about (for these gentlemen who make the reports are obliged often to travel about, and go to manufactories and get information at the spot, and if they remained in the capital it would not answer the purpose), and to do the whole of the work necessary for completing the report by a specific time, certainly a third or second secretary would comply with any request from the head of the mission to assist; at least I have never heard of any case to the contrary.

3877. I am glad to hear that that is your Lordship's experience, because we have had evidence of a different character?—I cannot tell what is done in every case and every mission, but I know my opinion of what is right and what, if I were the minister, I should insist upon and have insisted upon. When I say "insisted," it is too strong a word, for that was not necessary.

3878. I am quite aware that your Lordship has always taken the greatest interest in the connection of the Foreign Office with commercial matters abroad; but you are aware that before 1864 there was a good deal of dissatisfaction in the country with the action of the Foreign Office and the Board of Trade, in reference to foreign countries; the chambers of commerce complained that, owing to the double action of the departments, it was frequently the case that the commercial interests of this country were neglected?—Yes; but there are two sides to that; the chambers of commerce complained, I think without reason, or without full knowledge; because when I was examined before that Committee, and alluded to those reports which were very useful, I found that they were unknown to many chambers of commerce, to whom they had been regularly sent, which I thought was not quite fair.

3879. In 1864 the Committee sat to which you have just alluded, and before which you gave evidence; but since that Committee, I think I am right in believing that the complaints that previously

iously existed have not been so frequent the chambers of commerce, in relation to e matters?—I have never had complaints the chambers of commerce; I do not know ther it is in consequence of the arrangements ch were the result of the recommendations of Committee; but I think that nothing can k more harmoniously than the action of the departments now; formerly, before that mittee sat, the commercial matters were dis-uted to the different political departments, ac-ing to the countries to which they related; the departments were separated, and a commercial rtment was created which was more in imme-e and direct communication with the Board Trade; that certainly may have accelerated communications between the two departments. not pretend to say what the cause of the rovement is, but I do say that it is impossible two departments to work more harmoniously ther than they do now; if it were one depart-t, all the Board of Trade or all the Foreign ce, and they occupied adjoining rooms to each r, I do not see how they could work more moniously; of course, there are many com-cial questions on which great difficulties e; we always consult the Board of Trade on e questions, and as there are as eminent men e as in any department in the world, we get able opinions from them, given most cheer-y; I do not see how two departments could k more harmoniously together than they do

880. The fact, however, is that before this mmittee of 1864, there were many complaints, that since 1864 the chambers of commerce the commercial bodies have been satisfied h the action of the two departments?—To tell honest truth, I was not aware of these great plaints; I think the part is that the chambers commerce have been a little more vigilant, that y know a little more about their own business a they did.

881. I am quite prepared to believe that there reat harmony of action between the two de-tments, but I wish your Lordship to give us r opinion as to whether you think it might not desirable that inasmuch as the Board of Trade now very much an executive department, ing reference to railways, shipping, light-ses and harbours, and inasmuch as the foreign merce is so intimately connected with the itical and other arrangements which we have h other countries, the department of foreign merce should be entirely in the hands of the reign Office, rather than be divided between Foreign Office and the Board of Trade?—t I do not think that it is divided between the reign Office and the Board of Trade; every ng comes to the Foreign Office; there are ny things upon which the Foreign Office de-es at once as matters of course; but in any es of difficulty we immediately consult the ard of Trade, just exactly as I, if a case came ore me, and I did not feel myself quite able to ide it, should ask the Under Secretary's nion. There is nothing of the foreign trade t is immediately under the Board of Trade; all comes to the Foreign Office.

882. And the officers who have to deal with are all servants of the Foreign Office and not the Board of Trade?—Yes, that is to say con-s and diplomatic agents.

883. My reason for asking the question is that in the Select Committee of 1864, to which I have been alluding, there was a motion proposed by Sir Stafford Northcote which was supported by Mr. Cobden, but not carried, to the effect that the Committee should report "that the arrangement which upon the whole they would prefer is the establishment of a commercial department in the Foreign Office, which should be strong enough to enable the Secretary of State to conduct commercial negotiations and to investigate the complaints of merchants without the necessity of referring to the Board of Trade, except for such occasional information on matters specially committed to that department, as the Secretary of State may from time to time require to assist him in making up his mind on the questions with which he has to deal"?—That very well expresses the actual state of things.

3884. You think that that is, practically, what exists now?—Certainly, we do not refer everything to the Board of Trade, but there may come some intricate commercial international questions upon which it is extremely desirous for the public interests that we should have the opinion of some persons at the Board of Trade.

3885. Then you consider that in all those matters the Foreign Office does really take the control and is, practically, the department which is responsible, in the government of the country, for them?—Certainly the Foreign Office is responsible to the country for the conduct of commercial affairs, everything that is depending upon ministers and consuls. I have not the least doubt that if the Board of Trade gave us any particular advice, and we took it, the Board of Trade would cheerfully share with us in the responsibility of it, but it is really as if there were two more able men in the same department of the Foreign Office, they work so harmoniously together.

3886. In relation to the inquiry conducted under the authority of the Government into the expenditure of the consular establishment in China, which took place a short time ago, I must ask your lordship whether there was any correspondence between the Treasury and the Foreign Office setting forth the views of the Treasury as to the reductions to be made in the expenditure on account of the several consulates?—There has been a great deal of correspondence between the Foreign Office and the Treasury with respect to China. I do not say actually with respect to the reductions, although, of course, they have entered largely into that. You know the whole thing is new; it is exceedingly complicated, and very expensive indeed, from a great variety of causes; not only from the expense of living there, but from the difficulty of getting houses, and the necessity of constant leaves of absence for men whose health is injured by the climate. Comparatively, the consular system in China is new; the process to a certain extent has been tentative for a time; things that we thought might be done for a certain expense, we find cannot be done; but the thing now has got into more regular shape, and I think that we are better able to control it. There have been considerable reductions, and I have no doubt that there will be more. But the consulates you know at the great Treaty Ports are absolutely necessary for the protection of British interests; they must have a certain staff there, and that staff must speak the language. It is a very expensive service indeed, but then the trade is very great and

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increasing, and it is worth while to incur the expense for the sake of the advantages secured.

3887. I notice in the China papers that there is an important and valuable letter from the Foreign Office to the Treasury, stating the reductions which the Foreign Office proposed to make; my question is whether there have not been some communinations from the Treasury to the Foreign Office, stating the reductions that in the judgment of the Treasury might be made?—So many letters have passed that I cannot speak with certainty; but I do not think that they would have pointed out the actual reductions which might be made when we became in a condition to revise the service. I am always looking out for cases where we can make a saving without loss of efficiency.

3888. Of course it would be of very great advantage to this Committee if we could have a report of an independent Government department, namely, a communication from the Treasury, setting forth the views that they have as to the line of reduction; and if there is such a report, perhaps your Lordship would not object to furnish it?—There is nothing which the Foreign Office contains that is not at the disposal of this Committee.

3889. With reference to the possible reductions that might be made in the diplomatic staff at the different missions, would your Lordship see any objection to there being a departmental inquiry, conducted by the Treasury in conjunction with the Foreign Office, which might go into the actual details of the expenditure connected with the service?—I really think it is very unnecessary. I do not see what you could expect to get from it. The Treasury has sometimes a right to call upon the Foreign Office for any details of expenditure of money. It is known to the Treasury and to the public what are the rates of pay to the service. I do not see what such an inquiry could do. I do not see where the practical utility of it would be.

3890. I have been informed that the Treasury actually proposed such an inquiry to the Foreign Office last autumn, but that the inquiry was refused by the Foreign Office; is your Lordship aware of that?—I do not remember that.

3891. At all events, we may take it that in your Lordship's judgment it is not necessary that there should be such an inquiry?—I think it is not necessary; I do not see why the head of the Foreign Office should be regarded as less competent than any other head of a department on such a subject; I should say that it would be simply offensive, without public utility.

3892. Sir Arthur Magenis, Minister in Portugal, wrote a despatch which appears at the end of the Report of the Select Committee of 1861, in which this passage occurs: "I believe that the system occasionally adopted of conferring pecuniary rewards on attachés for meritorious service, might with great advantage and at a very trifling expense, be more frequently adopted;" I wish to ask your Lordship what rewards does Sir Arthur Magenis refer to, and from what fund would they be paid?—I do not know what rewards he means, but he states himself "pecuniary rewards;" if a man had performed any very particular service not quite in the line of his duty, if he had first qualified himself for it, and then had succeeded in it, the Treasury might make him a bonus, just exactly as you might make a present to anybody who had done well, and beyond his duty. The course would be, that the bonus would be conferred, on application to the Treasury, for the services done.

3893. And it would appear on the Estimates then; these rewards are not of such a character that they would be taken out of some fund other than the Estimates?—No; I will give an instance, I will not state the gentleman's name but if there is one man more deserving than another this man is wonderfully deserving. I must not say what it was he did lest I should give a clue, but he did things that were very remarkable which necessitated great exertions on his part, and cost him a good deal of money I thought that he had done them so well, and that it would be such an encouragement to others that I did propose a small bonus to that gentleman, and the Treasury refused it. I knew the services rendered by him; I do not know whether the Treasury attended to that point, but they refused the bonus. I merely give that as an instance, to show that if anything of that sort is done it goes to the Treasury. It was only a small sum which I proposed in that case, my object being to mark my sense of the service which he had rendered.

3894. Any bonus of that kind would not come out of secret service money, I suppose?—I am not going to talk of secret service money, but I have given you an illustration of how I deal with anything of that kind.

3895. I will ask permission to put this question to your Lordship, whether you can say that no portion of the secret service money is applied in payment of salaries or additions to salaries for the regular members of the diplomatic and consular services, or to members of the Foreign Office or in payment of pensions to widows of diplomatic and consular officers?—It is a very proper question, but as I said before I must decline to answer it. I should, however, like to say one word about this subject: in the first place, I am not sure whether a Committee of the House is entirely competent to put questions on the subject when the whole House has determined that the secret service should not be abolished by being made public; but I can assure the Committee that it is from no wish whatever to conceal any information from them that I say that. I hope that I have given some proof of that by the statements which Mr. Hammond was directed to bring forward. I felt that the importance and value of this Committee would be diminished both with the public and with the service, if its inquiries were not of the most searching and exhaustive character, and, therefore, Mr. Hammond and I taxed our brains to see what it was that we could lay before the Committee, and I am sure that there has been a great deal of information laid before them that they probably would not have asked for for want of the knowledge of the things to be asked for; I know that there is no reason for keeping anything back, and I do not know of anything but what is entirely at the disposal of the Committee. My silence with respect to the secret service is imposed upon me by my duty, but I can hardly understand the great anxiety that there is about this secret service. Speaking not of myself, but of any man who happens to be in the place that I have the honour to fill, I may say that that Minister, from the very nature of the duties attached to his position, is less under the eye of a vigilant public and press than the head of any other department, and the

re are confided to his honour, his judgment, l his discretion (perhaps I ought to add his nesty), the most momentous international and ite affairs, and by any laches of his, by any lure of his in any of these qualities, he might volve the country in the greatest trouble. ell, in that man who happens to be the Minis- for Foreign Affairs, Parliament and the public e in the habit of confiding until they find that is unworthy of trust; but there is a sort of tion that he cannot quite be trusted with ney which is not brought into the public counts; I hardly know why he should be usted on the largest affairs, and mistrusted on e very small ones. I do not think that the blic suppose that he puts this money into his n pocket, but I think that there are vague tions abroad of mysterious acts of corruption, of ying people more than they ought to have, and at sort of thing; I really am quite glad of this portunity of saying to the Committee, just as the Committee were a Baron of the Exchequer fore whom I make a formal and solemn state- ent that I have applied the money as it ought be applied, that I can most solemnly declare at all those notions are entirely without founda- on.

3896. I am quite sure that your Lordship will elieve me when I say that in putting the ques- on, I had not the slightest doubt as to the ropriety with which your Lordship superintends ie department, and that my question was en- rely as to the application of the funds in a way hich we may consider to be undesirable, not on ccount of the action of the head of the depart- ent, but because they came through somebody elow the head of the department?—But they o not come through somebody below the head f the department; I act in the matter myself.

3897. Your Lordship acts through subordi- ates in the department necessarily, I presume? —Not about that secret service. Might I ask ou in fairness, who do you think are the sub- rdinates through whom I act?

3898. In the first place, the recommendations aving reference to the use of secret service money ome from a minister abroad to the permanent Under Secretary, do they not?—No; each minis- er, upon his honour, is allowed to expend a certain um of money in secret service, for which he nakes his application before a Baron of the Ex- hequer, just the same as I do; but I know nothing about the application of that sum which ie is allowed to expend; it is not paid out of the und that I have; he draws for a certain sum.

3899. In the case of the payments made with the oncurrence of the permanent under secretary, we were informed by Mr. Hammond that the political under secretary is not allowed to have any voice n the decision of that expenditure, at all events hat the political under secretary was not con- sulted?—Certainly not, nor anybody else; I do t on my own responsibilty, and I do not commu- nicate what I do; the best way of keeping it secret is not to talk about it, and I do not consult anybody for that with regard to which I am alone responsible; of course Mr. Hammond draws the cheques that I give authority for, and that is quite sufficient; and I hope that the public at all events have sufficient confidence in my honour to think that I do not misappropriate one shilling of that; but I do not consult anybody about it.

3900. In reference to the recent abolition of the Foreign Office agents, that, I think, was a voluntary act on your Lordship's part, as the head of the Foreign Office Department?—I do not think it is quite fair to say that it was a voluntary act of mine. There was that sort of manifestation of opinion by certrin portions of the press, and by the House of Commons, that made it quite clear to me that that system could not be maintained. There was a great feeling against it. I consider that it was a system which worked extremely well, and one which all those concerned in it, that is to say, all the ministers and consuls, will regret the loss of; and I think that it was doomed, sacrificed, to a prejudice; but a prejudice is often as strong in determining action as a well-founded opinion. There had got abroad an opinion that the agents had some influence in the making of appointments, and in the distribution of patronage. I can say that there never was a more completely unfounded opinion than that. I have been seven years now in the Foreign Office, and I am as unconscious of the existence of an agent in that office, with reference to any appointments, as I am of what the opinion of this Committee might have been on the matter of any of those appointments; and I say that there never were men who were more unjustly treated than those men, by the supposition that for their own interests they got certain appointments made. I should say that even if the agents might have done such a thing, any one at the head of the office who accepted the recommendations of a clerk in the office who happened to be an agent to A. B. or C. D. would grossly fail in his duty; but I have no more knowledge of anything of the kind than I have of anything that never existed; and I am obliged to the honourable Member for having put that question, because I think it is an injustice to those gentlemen to think that they would have misused the position in which they accidentally were in the Foreign Office really to the public detriment, and that it would involve a grave condemnation on any Secretary for Foreign Affairs who accepted such recommendations.

3901. Viscount *Barrington.*] It has come before the notice of this Committee, through the evidence of Mr. Walrond, that the examinations in French for attachéships are not very satisfactorily conducted; that, in the first place, there is no *vivâ voce* examination in conversation, that having been discontinued within the last few years; aud, further, that there is no examination in writing French from dictation, and the translating of English into French; but that although that used to form part of the examination, it has been discontinued. Now French being generally recognised as the language of diplomacy, I wish to ask your Lordship whether you do not consider that it would be advisable to make some alteration in that respect?—I did not know that there was such a state of things; I hear it for the first time. All that I could do some years ago was to furnish, as all other heads of departments did for their own departments, qualifications for persons employed in the diplomatic service; and certainly a perfect knowledge of French was one of the principal elements of qualification, in my opinion. Then it was left to the Civil Service Commissioners to carry that out. I know nothing, and they decline in general to tell what passes at the examinations. I do not complain of that, but as a matter of fact we know nothing about it. Mr. A. is appointed to be consul or attaché; he will go up for examina-

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tion on the day which the Civil Service Commissioners appoint. I know nothing more about it until the Civil Service Commissioners write word that he is fit or that he is unfit.

3901. But the Secretary of the Civil Service Commissioners states that though the practice of requiring such an examination prevailed before, it was discontinued some years ago while Lord Russell was Secretary for Foreign Affairs?—I did not know that there was any change in respect of that examination; I entirely concur in the opinion which I see is expressed by Mr. Walrond on that point.

3902. Mr. *F. Stanley.*] Before the Select Committee on the Diplomatic Service, which sat in 1861, Lord Wodehouse, then the Under Secretary of State for Foreign Affairs, in answer to a question, stated that there was at that time no official representative of this country at the Court of Rome; I imagine that I am right in thinking that that position of things is still unaltered?—Yes.

3903. May I ask whether, considering the number of questions which now arise in this country, and which are affected very materially by the action of the Court of Rome, it would be, in your Lordships opinion, to the advantage of the public service that we should have, resident at Rome, an accredited representative of this country?—I think so, and have always thought so, that is to say, of latter years; I thought that what is usually called the Eglinton clause, which was introduced in the House of Lords, and was carried in the House of Commons, was a very imprudent one. Although we removed the prohibition that there was in olden times to send a representative to Rome, and permission was given to send a representative there, yet it was at the same time enacted by that Eglinton clause, that the Pope should not send here, as his representative, an ecclesiastic. The Pope was, not unnaturally, rather offended at this limitation being put on his power of choice, and he said that as he had no relations with foreign countries except those which were ecclesiastical, that is to say, which related to religious matters, it was useless for him to send anybody that was not an ecclesiastic; and the consequence was that, as he declined (and I may say not unfairly) to send a lay minister to this country, no minister was sent from England to Rome, but the prohibition being removed, permission was given by Parliament to Government to have an agent there, not one who was regularly accredited as other ministers were; and that is how the matter has remained ever since. Before that Eglinton clause, so necessary did we feel it to have some sort of relations with Rome, and some sort of information of what was going on there, considering not only the number of Catholic subjects of the English Sovereign, but the many intercolonial matters concerned, that we considered ourselves always obliged to have somebody there, but he was an attaché from the Florence Legation. He was merely sent from there to reside at Rome, and he corresponded with the minister at Florence. Since the time that we have had a more regular representative there (the first one was, I think, Mr. Lyons, now Lord Lyons), he has corresponded directly with the Foreign Office, and received instructions from the Foreign Office; but I have not the least hesitation in saying that his position is very inferior to that of the regularly accredited diplomatic corps, and that inconvenience results from that; and I think that considering we have so many interests now affecting Roman Catholics, it would be very advisable that we should have a regularly accredited representative at that court. I will just give an instance of what Mr. Odo Russell's position is there now. He was told by Cardinal Antonelli that he might attend the opening of the Œcumenical Council, but the doyen of the diplomatic corps said no, he should not; he was, in fact, treated as if he were not even fit to attend such a meeting as that. I say that that is not a position in which the representative of England ought to be placed.

3904. Is your Lordship aware what are the relations between the Court of Berlin and the Court of Rome; I think the Court of Berlin have a representative in Rome, whereas there is none from Rome in return at Berlin?—That is so, and that would have been the case in England if we had not enacted that he should be a layman; the consequence of that was that they had a representative here, an ecclesiastic, and a very powerful one, Cardinal Wiseman, who was wholly responsible; whereas even if we had had a cardinal here as the representative of the Court of Rome he would have come under diplomatic rules, and would have been responsible for his conduct, and he might have been complained of and removed if he had not performed his diplomatic duties properly,

3905. Viscount *Barrington.*] The Pope has no opportunity, has he, of appointing anybody but an ecclesiastic?—There are laymen in the Government of the Pope, but none in high and important places.

3906. Viscount *Sandon.*] With regard to the salaries at the present moment of the diplomatic service, may I ask whether, virtually, the salaries of the whole service have not been reduced rather than increased, owing to the great increase in the cost of living on the Continent?—I am very much obliged to you for putting that question, as it gives me an opportunity of saying that I think that they are very much underpaid. You must remember that the greater part of these salaries were fixed 30, 40, or 50 years ago. There is nobody at home or abroad who is not aware of what the increase of the cost of living is. Some of the reports that I hear from honourable men, who are perfectly incapable of saying what is untrue about the cost of their living, are really very distressing. I gave myself as an instance, the other day, when I stated that I spent a thousand a year more than my salary all the time that I was in Spain, even when I was a bachelor. But it is not everybody who can do that. The greater part of our diplomatic servants are very poor men; there are scarcely any of them who have any private fortunes, and there is a constant conflict going on, I know, with those men as to how far they can venture to impair their own property, in order to do what is their public duty. Now I do not think that the public is bound in the least to so pay a man that he may lay by a great deal, but I think that the public has no right to expect to be served by a man at his own expense. I should not ask for any person in the Diplomatic or Consular Service one farthing more than what would cover not only what is indispensable, but his proper liabilities. I would not ask for anything, in order that he should be allowed to lay by, although perhaps a man after being 40 or 50 years in the service, has some right to look to having earned something for his children; but I do think it

is hard that a man should be asked to spend s own private fortune, and that of his chil- en, to enable him to perform his public duties operly.

3907. I am right therefore in saying that vir- ally there has been a decrease in the emoluments the Diplomatic Service?—There is not the least ubt of it; the same money goes less far than it d.

3908. Is it your Lordship's opinion that it ould be desirable, with a view to the advan- ge of the public service, that there should e a revision of the diplomatic salaries?—I ink that it would be only just; I should like ery much indeed to see certain salaries in ie Diplomatic Service, and those of some un- rtunate consuls, too, increased, but I should ot like to have that done without a proper re- ision, and I should wish that the public should e perfectly aware why they sanctioned such a rge increase; I should decline to do it myself.

3909. It would be for the benefit of the public rvice to revise the salaries?—Yes, I think so.

3910. I rather understand your Lordship to ay that under the present system you get exactly he class of men into the Diplomatic Service that ou want for the public service?—I think so; I o not know how you could improve it.

3911. You get exactly the very men that would erve the public best in this particular line?—I annot suggest any method of getting better; I dare ay that you may say, in regard to all professions, hat there are men superior to them out of the pro- essions; but I do not know how you can get any etter for the diplomatic service, and I must say hat I think the present plan works very well; I lo not believe that the public have any reason- ble ground for complaint, or to doubt that they et their money's worth.

3912. Your Lordship appears to think that any hange in the present system might prejudice the ublic service?—I think so.

3913. With regard to the functions and the umber of the subordinate members of the mis- ions abroad, might there not be some danger, if ou increased their office work, of diminishing heir efficiency as diplomatists, and so far in- uring the public service; I mean if by in- reasing their desk work you considerably imit their opportunities of travelling about he country, mixing in society, and so on?—I think that the staff of each mission is calculated upon the average amount of desk work that there has been, so that there should not be any over- taxing; I think that it is a fair amount of labour which you require from each, and I do not think that you could put much more on them with ad- vantage.

3914. One of the most important objects to which a young diplomatist can give his attention is mixing with all classes of society, and travel- ling over the country, and making himself ac- quainted with the peculiarities of the country, with a view to the public service, is it not?—Certainly, to attain that knowledge of the country which he is in that will be useful to his own country.

3915. And you think that it is absolutely ne- cessary that he should mix with the higher classes of the country which he is in?—Yes; of course that does not in the least preclude him from mix- ing with the lower too.

3916. But it is absolutely necessary that as a diplomatist he should be able to be admitted into the very best society?—Yes, certainly.

3917. With regard to the effect of the tele- graph on the relations of the Foreign Office with the missions abroad, does your Lordship think that the responsibility of our ministers and am- bassadors at the different courts is so much dimi- nished, that it would be for the benefit of the country to put in those posts men of less weight, and men less well paid than at present?—No, I do not think that the telegraph has made any such changes desirable; you must remember that a telegram is a condensed despatch; I have had more trouble sometimes in writing a telegram than I have in writing a despatch; as I say, it is condensed; the minister or ambassador must give as far as he can all that has led to the facts that he narrates, and that he sends by the wire, and afterwards he has to develope his telegram by the first messenger or the post; I do not see that it diminishes his labour the least in the world, and the answers that he gets from the Foreign Office are more or less concise too, and it re- quires, perhaps, more judgment, more discretion to act upon a telegram than when an instruction is fully set out in a despatch.

3918. Therefore you require ministers who are able to take quite as much responsibility upon themselves now under the present system as formerly?—I think so; I do not mean to say that if a question arose at Paris as to this or that, you would not save 24 hours by a telegram; but then the minister or ambassador must give his reasons why he recommends one course or another, or he must state the facts which would be sufficient to enable the Foreign Secretary to come to a deci- sion upon the matter.

3919. With regard to the value of our diplo- matic service generally, is it not the case that what may be called the greatest feats of diplomacy are those that are unknown to the world; for instance, where great wars have been quietly prevented, or the commencement of evil in the relations between countries averted; that, in fact, the country frequently, from the very fact of its successes, has not known the greatest successes of its diplomacy?—I think that that is per- fectly accurate; things have been done that exactly fulfil the conditions that you have men- tioned; evil may be averted, and good may be done, but the causes, the mainsprings of that remain concealed, and very desirable it is that they should be so. Supposing that a particular country exercises moral influence, and makes another Government feel that it is wrong, that it interposes quietly and mediates between two other countries, and brings the question between the contending parties to a peaceful solution, it is extremely desirable that that should not be known. It would only be to the advantage or glorification of the person concerned in it; but it might lead to mortification and irritation to the powers that had been brought to that result to have it known that it had been done by means of foreign or external influence that had been exerted. Therefore, I should always con- sider that unless there is a public necessity, those things should remain concealed. Of course I think that everything ought to be public that can be, and my notion of proper diplomacy is that everything ought to be known by the public that is useful to your own country to know; but that you ought not to make public in

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your own country that which would be prejudicial or irritating to others.

3920. Therefore, when a country is considering the cost of its diplomatic service, and whether it is well to keep it up, it ought to take into account that the most valuable diplomatic action it can never be aware of, but it must take on trust very much the beneficial nature of diplomacy, because from the very nature of things its most valuable operations are unseen?—That is perfectly true; I do not mean to say that these sorts of occurrences happen often in which diplomatists, whether an ambassador or the Foreign Secretary, intervene; but to my own knowledge, some of them have done so very successfully indeed, and those cases will never be known.

3921. Mr. *A. Russell.*] Do you think that considering the increasing importance of our relations with the United States, there would be any advantage in giving the rank of ambassador to our minister at Washington?—That is a matter that I have not considered; I do not think that that is entirely within my province, because I do not think that we could well take the initiative with any prospect of success; I think that, considering the great power and the increasing power in every way of the United States, one of the greatest countries in the world, the representative of the United States is entitled to the highest rank of diplomacy which commands the greatest consideration in the country to which he is accredited; and certainly I should say that there is nothing derogatory, as perhaps it might be called, to the country itself in conferring such rank, for the republics of Venice and Genoa, for example, have been represented by ambassadors. But I can offer no opinion whatever as to whether it would be applicable to the Government and people of the United States, nor, indeed, could I say, not having thought upon this question before, or mentioned it to my colleagues, and being only able to express my individual opinion, whether the Government would propose, or the House of Commons would sanction, the increase of expense that it might entail; but considering that we have ambassadors, that the United States have none, that they are a Republic and have given a good deal of proof that they wish to retain not only Republican institutions but Republican forms of procedure, I can have no doubt that the initiative should come from them; but if any wish was manifested by the United States Government to confer the highest diplomatic rank upon their representative, I should say that the question would certainly be considered by Government, and be submitted to Parliament; and expressing my own opinion, I may say that if it were agreeable to the United States, I think that it would be very agreeable to us.

3922. Mr. *W. H. Gladstone.*] When your Lordship said that, in your opinion, the members of the Diplomatic Service were underpaid, were you speaking of the heads of missions as well as of the subordinate grades?—I was speaking of them generally. There may be one mission where a secretary on 500 *l.* a year may be tolerably well off, and another mission of the same rank where he would be spending 200 *l.* or 300 *l.* a year of his own money. I should say that if there were any general revision of the diplomatic salaries, the cost of living and the different circumstances connected with each mission ought to be taken into consideration. You cannot say that a man is underpaid who serves four years gratis.

3923. I think that it was Sir Henry Elliott who said that, in his opinion, heads of missions were not underpaid. He drew a distinction, I think, between the heads of missions and the subordinates?—I am very glad to hear of any exceptions to the general rule of complaint.

3924. It is the fact, is it not, that, in some instances, the salaries of heads of missions have been increased since 1861?—That is when they have been made ambassadors. I do not know of any others that have been increased, not by me at least, but when there were three missions, Vienna, St. Petersburgh, and Berlin, made into embassies, then there was an increase in those salaries.

3925. Mr. *Baring.*] Has your Lordship any objection to say whether, after your great experience, your opinion is or is not that the establishment of the Secret Service Fund and its present mode of application tends to the national advantage, as part of the general expenditure?—I think that it could not well be dispensed with.

3926. Mr. *W. Lowther.*] With regard to living in America, I suppose the expense is very great?—Very great indeed.

3927. Do you consider that the salary of our minister there is large enough?—I am quite certain that it is not, I mean not large enough to do what is required of a British minister there in the way of hospitality. He buys so much for his house, and for everything, that he really cannot do on his salary what he ought to do.

3928. The chief of a mission has a right to take away drafts or copies of his own despatches. Those despatches contain information which he has obtained from his official position. Those papers become his private property, and that of his executors if he dies. Has your Lordship ever known any inconvenience arise from the publication of official papers of that sort which have come into private hands?—I do not remember any cases of that just at the present moment, but I have not the least doubt that there have been such.

3929. With regard to commercial business being carried on at the Foreign Office, I suppose that there are often times when commercial questions are very much mixed up with political questions?—Yes, certainly.

3930. And therefore if the commercial correspondence were handed over to the Board of Trade, they would have to be continually applying to the Foreign Office in order to consult them?—Yes; there could not be a better receipt for confusion.

3931. With regard to the so-called small missions, irrespective of the business which may be carried on at them, are they not very useful as nurseries, so to speak, for rising diplomatists?—Well small missions are not more useful as nurseries than large ones, I think; but the more you extend the sphere of the nursery the better you will have your young diplomatists, particularly as there is a rule (a good one I think, although it puts the country to a little expense), that a young man should not be allowed to stay so long at the same place as to vegetate there, and become rusty; from two to three years is quite enough for him to learn, if he has his wits about him, what there is to be learnt at the particular court, and I think that a change is very advantageous to him; and many

any of our men who are not yet old, not more an 30 or 35, have seen so much of the world that y are very useful public servants I think.

3932. I believe that it has been stated on a rmer occasion "that the diplomatic service was aristocratic monopoly and a field of favouritism, d the result of the system was, that honest, le, hard-working men give themselves up to spair, or get into a morbid state, and become able to serve the public as they were wont to , and that this system literally destroyed them;" es your Lordship agree with that statement of inion?—I differ from that entirely; I do not nsider that able and hard-working men are nothered and choked, that the tares grow up out them, and the seed is smothered. I do not ny that the advancement in the profession is ow; I wish it were otherwise; but when I look round me in all other professions, I cannot say at there is much difference. Look at the army the navy; a very able man may be a long me in one of those services, fulfilling those nditions, before he gets enough to live on.

3933. Mr. *Kinnaird.*] Is there any compensaon given to a minister when he is appointed uddenly to one place, and from the necessity of e service is removed to another, for the outlay at he has had in the first place; take the case ow of a very eminent and very rising diplomatist, Mr. Lumley, who was in Switzerland he other day, when he had just furnished his ouse, and set up an establishment, from the ecessity of the service he was removed to Brussels, and was suddenly called upon to enter n that post, and to entertain very largely, incurring an expense which exceeded anything which his salary could supply?—He was called pon by necessity to do a thing extremely agreeble to himself; and if a minister receives an outfit, say, for a third-class mission, and is promoted to a second or first-class mission, I believe that I am right in saying that he would have the difference between the outfit of the one and the ther, but no more. If it had been too costly, or nconvenient to Mr. Lumley, of course it would ave been very easy for him to decline, and say hat he would prefer to remain in Switzerland.

3934. Your Lordship knows that to decline a duty would not raise him in the estimation of his chief?—If he has not good reason to do it.

3935. Is it the right thing to do to accept a post when it is offered?—Certainly; Mr. Canning's rule was that if a man refused a post offered to him he got no other; he treated him exactly as you would do the colonel of a regiment who refused to go on service.

3936. I only meant to ask whether that was not an additional element to be considered in the salaries?—In almost all these moves you see it is to an increase of salary; Mr. Lumley, for instance, gets a higher salary at Brussels than he did in Switzerland.

3937. Do you agree with the policy indicated by Lord Derby of reducing the smaller missions, who has given evidence here with regard to Stuttgardt, Darmstadt, and Coburg, that they might be reduced with great advantage to the public service?—In my answer to Mr. Rylands I gave my opinion upon that point.

3938. You did not mention Coburg, I think?—No; but I think that it must be manifest to everybody that there are family reasons for having a man there; and really the pay is very low.

3939. Would it not also be acceptable to the country, that whilst providing for those important missions on a full pay, in the revision you should consider whether a reduction of some almost useless missions might not be effected. Might not that tend to facilitate the due payment of the really effective missions?—I think that the saving would be very small. You could only carry it out at Coburg and Darmstadt; those are both, to use the foreign terms, family missions. They are both of them, particularly Darmstadt, now in a very good position indeed for information of the movement of political opinion, which may have very important political results. There is no staff there.

3940. Information, you mean, with reference to the state of Southern Germany?—Yes; and if the Duke of Edinburgh succeeds to the Duchy of Coburg, there are family reasons which suggest themselves why the House of Commons should scarcely, for a few hundreds a year, take away a mission of that sort.

3941. You would rather keep them?—I should not, probably, have appointed them; but I do not think that it is worth while to take them away.

3942. Mr. *Eastwick.*] You have given a very strong opinion as to the under-payment of the service, and as to the deficiency of means on the part of the members of the service, and we have had considerable evidence on the same, and, indeed, the last gentleman before the Committee gave very strong evidence on that subject. Now I would like to ask your Lordship, with regard to that, whether it would not be well to have some property qualification in the foreign service, as is the case in the foreign service of several other countries?—If you would undertake to defend such an aristocratic provision, I shall be very glad to consider it; but I should not venture to propose to the House of Commons, and I do not think that you would support me in proposing that a man who is appointed to be an attaché should have 400 *l.* a year of his own.

3943. But supposing that the property qualification was not so large as that, because I fancy that the property qualification in the French service does not go to anything like that, but supposing that it was a property qualification of, we will say, 200 *l.* a year, or 100 *l.* a year, and supposing that the attachés were paid as many gentlemen have stated that they ought to be paid, would not that go some way towards removing the present very objectionable state of things?—Of course, as far as the 100 *l.* a year or the 200 *l.* a year goes it would; but I do not think that either you would get a better class of men or that it would materially alter the service. A man who wishes his son to go into the Diplomatic Service must be sure of his having about 400 *l.* a year. That he must get as he can, out of his own pocket or out of the service, or get into debt in the place where he is, in which case he will be removed.

3944. Your Lordship thinks, I presume, that it would be very objectionable for a diplomatic officer, or any consul, to leave a station where he was in debt?—Yes.

3945. I think, however, there have been instances of that, or, perhaps, I should say an instance at all events of an officer having left in debt. I will take the case of Persia, where a consular officer has lately been defaulter. Do you think that it would be desirable that in that particular instance the country should pay?—Certainly not. I cannot conceive a better mode

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of encouraging people to get into debt. I know very well the case to which you have been alluding. I know that there have been claims with regard to debts in no way contracted for the public service; there is not a pretence of that. If it had been anything that had been really for the public service, and the man got into debt, and they could prove that it was for the public service, then it would be a matter to take into consideration; but if a man gets himself indebted in private ways for the Government to recognise and pay his debts would be offering a premium to getting into debt.

3946. But the consul receiving the dues, and the people of that country not being acquainted with consuls or consular usage, might not an exception be made in that particular instance?—They trusted the man; it is very unfortunate for them that they did so; but many people do trust others, and do get deceived.

3947. I would like to ask your Lordship, considering the great disadvantages of the service in some countries, for instance in Japan, or we will say in some parts of South America, the bad climate, the great expense of living, and the danger to life (for some of our officers have actually been wounded on service), whether some compensation might not be given in the shape of reducing the amount of service for a pension, or in other ways, say, increasing the salaries?—If you mean with regard to the danger or the disagreeableness of the post, and the climate in which they are, I think that that is very just. I think that that ought to be taken into consideration. If a man is sent to an unhealthy place in South America, or, as of late, in Japan, to a place where he has a chance of being wounded, I think that that man is entitled to some consideration. I do not think that our service is what you may call liberal; I do not think that they take the circumstances of a man and his position into sufficient consideration. You make a mission first or second class, with a certain salary attached, and a man takes it, good or bad; but there are some climates that ought to be taken into consideration in the salary, I think.

3948. I was looking particularly to the case of Japan, and the case of Caraccas, where three of our chargés d'affaires have died in succession within the last six years, one of them of yellow fever; and, where the expense of living is considerable, and where the town has been three times taken, twice with very great slaughter, which of course was a considerable risk to property and to life?—Yes, to say nothing of earthquakes.

3949. Then I would ask your Lordship, with respect to South America, whether it might not be better to make those officers who are diplomatic officers with the rank of consuls general and chargé d'affaires, ministers resident, and thereby give them a claim to a rather increased pension?—I quite agree with that, and if I had been able to do it, I think that it would have been a very proper thing to give them an increase of salary. But now, in Chili and Peru, our agent and chargé d'affaires is in a lower position than his European colleagues, both in rank and in pay. It is mortifying to him individually, and he is distressed at it, and I think that it takes away from his consideration. I should have been very glad indeed to have done what you suggest, and have only been deterred by the increased expense that it would be. I quite agree with you on the point.

3950. Then I would like to ask whether it is not the fact that the number of British subjects in the different States of South America is very considerable, and whether it would not be desirable that some return should be made of the number of British subjects, in order that we might be made aware of the importance of the public interests in that direction?—I should agree with you in that, but it is so exceedingly difficult to do it. You see in those countries there is no regular census taken with reference to the distinctions of nationality. With just the same object that you are thinking of, I gave instructions that they should be registered as far as they could be in Guatemala. The reason of that was, that in these countries where there are such perpetual revolutions, and the social condition of the country is so various, one wishes, of course, to give all the protection one can to those who have a right to claim it; but in order to know who has a right to claim it you must have some sort of register, an account taken of who are British subjects. But then you see that they live at such great distances from the capitals, and from places where there are consular agents, that I do not think that you can get a correct account. The instance that I have given shows that I have the same feeling that you have about that, and that I do think, in reference to all those British subjects, it is our interest that they should be registered as far as possible.

3951. Would there be an objection to give a proximate return of their number as far as it can be furnished by the Foreign Office before this Committee finishes it labours?—To take a census of the British subjects scattered about South America is not a short job; but I will see how far it can be done; I will consult those who would have to do it.

3952. I should like to ask your Lordship one other question with regard to South America; our consuls general there are placed in very isolated positions, and in case of their death, or of their absence on whatever ground, it is generally necessary to send up a consul sometimes from a considerable distance to occupy the post: may I ask whether there would be any objection to appoint a junior diplomatic officer as private secretary, or in any other capacity with these ministers; the expense would not be considerable, there being already a clerk who would probably cost as much as the junior diplomatic officer?—If you mean that this junior diplomatic officer would have to live at the mission as the private secretary of the minister, I expressed my opinion at some length the other day, on the question whether a minister was entitled to have a private secretary. But I think that if you have a man as private secretary to a minister in order that at any moment, in the event of the death or absence for six months or a year of a consul, he may be sent over to some distant place, you put the minister in a very precarious position if he is depending upon that work from the private secretary which would justify his having one.

3953. Some questions have been asked with reference to the recovery of interest on foreign bonds, and reference has been made here to a dictum of Lord Palmerston's; would there be any objection to put in the circular on that subject from the Foreign Office, dated January 1848?—I should think not. I do not like to promise

mise papers without looking at them, but pro-
ly that has been laid before Parliament al-
dy.

954. I should also like to ask your Lordship
ew questions with reference to Persia; I
uld ask your Lordship whether you would not
k it desirable for us, as much as lay in our
er, rather to keep Persia within the Indian
le than to bring it into the European circle
politics?—No, I think it would not be for our
est.

955. Your Lordship is of opinion that it
ld be better to bring it into the European
le?—Certainly, I have no doubt about that;
ish I had, for I should be very happy to re-
e the Foreign Office of the Persian Mission.

956. Your Lordship is clear that it should be
der the Foreign Office?—Quite so; I have
the least doubt about it, and what is more I
nk that the tendency of things will make it
re important every day that it should be so.
e progress of Russia in Central Asia, and the
ations between Persia and bordering tribes
ich will be influenced by foreign agitators,
l bring Persia every day more and more
thin the pale of European influences. I think
o that we are greatly interested in being on
od terms with the Shah, and I think that he
uld be very much hurt and offended at being
cluded from European diplomacy and put into
e Indian circle. I think it would be offensive
his dignity, and I believe that it would be pre-
licial to our interests.

3957. But if it should be more agreeable to
e Shah, would your Lordship's opinion then be
anged?—Not a bit; but that "if" is simply a
ry high improbability. I am quite sure it
uld not be more agreeable to him. I do not
ink that his relations with the Indian Govern-
nt have been of such a kind that he would be
disposed to renew them.

3958. Your Lordship is, of course, much better
ware than myself that Persia has been for pretty
arly an equal number of years under the Indian
overnment, and under the Foreign Office; is
ur Lordship aware of any very great difference
uring those two different periods as to the
sults?—Well, it must be remembered that at
e time of the Board of Control (that is now a
od many years ago) Persia had never been in
lations with any other form of British Govern-
ent than the East India Company: they had
ways had representatives there, and that worked
ell; but afterwards, in consequence of Persia
coming of greater European importance, it was
ought under the Foreign Office. I do not know
xactly what were the precise motives which led
that result; I have not looked at the corre-
ondence lately, and it was a long time ago that it
as first transferred; then for some reason or other
was transferred back again to the India Office.
hen the East India Company was done away
ith, and there was a Secretary of State for India.
nd the India Office became a component part of
e Queen's Government at home, that arrange-
ent with regard to Persia was not found to work
ell, and it came back again to the Foreign
ffice. As I said before, I should be very glad
deed to think that it might be re-transferred
the India Office, but I am clearly of opinion
at it would not be useful; you must bear in
ind that the India Office, the Indian Govern-
ent, has very little to do with Persia. I have
nderstood from Lord Halifax that he said some-

thing, when he was examined the other day, as to the correspondence that takes place between the India Office and the Foreign Office with respect to Persia; I have had a Memorandum prepared with reference to that matter, and I find that between 1st January 1860 and 1st January 1870, 278 letters were received at the Foreign Office from the India Office relating to Persia; then the statement which I have gives the number of letters in each of these 10 years; the largest number in any one year is 50, and the whole works out to an averge of 27 and a fraction (say 28) in each year; of these 278 letters, 91 related to telegraph questions, and by far the greater number of the remainder (that is 187) were replies to letters from the Foreign Office; some few contained copies of papers for the information of the Foreign Office, on which no opinion was asked; others suggestions; others related to questions of finance, &c., and in a few instances, proposed instructions from the India Office to the Bombay Government were submitted for the approval of the Foreign Office, relative to questions on which correspondence had already passed between the two offices. A short abstract of the letters has been made, from which it will be seen that out of 278, probably not more than 8 papers in the ten years can be said to have contained references to the Foreign Office from the India Office on political matters in which the interests of India were concerned, that is to say, the interests of India with reference to Persia.

3959. But I believe it is the fact that during those ten years the mission at the chief post in Persia, namely, Tehran, has been filled by a gentleman who belongs specially to the Foreign Office, and who is not acquainted with the Indian service; I would like to ask whether the same average would be found in the correspondence for the ten years preceding, when an Indian officer was at Tehran; should I not be right in saying that a considerable difference would appear in that respect during that period?—The statement in the Memorandum from which I have just read is merely with regard to the last term in which Persia has been under the Foreign Office, as I merely asked for that; but of course any returns for previous years which the Committee would like to have could be given.

3960. An Indian officer would naturally look more to Indian questions than a European officer, I presume?—There is most harmonious action between the two offices, the India Office and the Foreign Office; and, except with regard to the Persian Gulf (which is always more or less of a trouble to this Government, whether here or in India), I do not see that India has anything to do with Persia.

3961. But with regard to the Persian Gulf, is not the principal agent in matters connected with the Persian Gulf, I mean the resident at Bushire, an Indian officer under the Indian Government?—He is.

3962. Mr. *R. Shaw.*] We have been informed by certain witnesses who have been examined before us, that there is a great block in the service, and, on the other hand, we are assured by Mr. Hammond, in answer to a question put to him, that there is really now no greater block in the service than there was in former years; will your Lordship be kind enough to give us the benefit of your opinion on that point?—I do not quite agree with Mr. Hammond with respect to that, because the abolition of four or five mis-

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sions of course has taken away some facilities for moving persons upwards, which previously existed; but, *cæteris paribus,* I do not consider that there is a greater block now than there was formerly; indeed, I should say that although the block is very great, and the profession is certainly stagnant, you can hardly say that it is as much so as where the Secretaries of State used to appoint any number of attachés they pleased, some of whom remained in the service, and thought that they had claims by remaining a long time, and others of whom quitted the service. I should be very glad if the service was a little more open, and the promotion was quicker.

3963. The same witnesses who gave evidence that there was a block, suggested at the time as a mode of obtaining relief, that the junior members in the Diplomatic Service should be drafted into the consular service; could your Lordship give us an opinion on that point?—I do not think that there would be any advantage in that.

3964. You think it desirable that the two services should be kept separate?—Yes; if your son, for instance, gets into the Diplomatic Service, and hopes to rise in that service, as everyone does hope to rise, and then found himself drafted into a service that does not offer the same advantages, whether social, political, or pecuniary, he would think it very hard.

3965. With reference to the complaint of the inadequate pay of the junior members of the service, am I correct in saying that they have all entered the service with full knowledge of the amount of pay which they were to receive?—Certainly; so far as I myself am concerned, I can answer for it that they have, because I have always advised people not to enter it with the hope of pecuniary advantage.

3966. We are informed that these gentlemen cannot live on their pay; I believe that that does not apply to this service alone, but that it applies equally to the Army or Navy?—I do not think that a naval cadet could live well on his pay.

3967. I was going to ask a question which you have just anticipated; comparing the pay of this service with that of the Army or the Navy, do you think that the junior members of the Diplomatic Service are worse paid than the junior members of those other services?—I think that in this respect they are worse paid, that they cannot escape a much larger expenditure than their pay. A young man in the Army or Navy who wishes to keep out of debt may manage to get on; but if you send a young man to a foreign capital, where he has to mix with the best society (and it is desirable that he should be in the best society), you impose on him, by the nature of the service, a great amount of extra expense.

3968. I think I understood you to say that, notwithstanding the complaints of the great e pense of the Diplomatic Service, you still h any number of applications for young gentlem to enter the service?—There are a good many.

3969. So that inadequacy of pay does not sto applications for entering the service?—But a these applications, it must be borne in mind come from people who can afford it. You ma be able to give your son 400*l.* a year for fou years, before he gets 100*l.* a year, and I may n be able to give him even 100*l.* a year. Y apply, and I abstain from applying.

3970. You have no difficulty in filling up an number of vacancies, as I understand you?—I believe my expression was "a good number."

3971. With reference to the stagnation in th promotion in the Diplomatic Service, do you thin that is slower than the promotion in the Army Navy?—I really do not know that it is; I am n very familiar with their pay, or chances of pr motion in the Army or Navy; but certainly, pa ticularly as regards the Navy, I may say, havin many friends in it, that I never knew any one them who had not some grievance of that sort complain of.

3972. Can you give me an idea of the leng of service before an attaché becomes a first secr tary; is it on an average 15 or 20 years?—I would not be so long as that; but if I were give you an answer, it would be merely gues work. Lord Lyons is ambassador at Paris, an I suppose that he is about 50. Sir August Paget, our minister at Florence, I suppose, about 44.

3973. Looking at these facts, and bearing mind that the service is a close one, and o which for its social advantages is much soug after, do you recommend the Committee to i crease the pay of the junior members of the se vice?—Really if there was to be a gener revision of the Diplomatic Service, I should li the salaries of the junior members to be includ in that inquiry. Of course, they do not co plain, because they take the appointment with drawbacks and its advantages. A man kno when he enters the service that he is not to ha 100*l.* a year till he has been three years it, and that it is no use complaining of that, b still he would prefer to have 100*l.* a ye when he entered, if he could.

3974. I understand that you have no schem which you wish to lay before the Committee f increasing the pay of the junior officers of t service?—No, I have no scheme; if the Co mittee would like it in the course of next ye if this Committee should sit all that time, should be very happy to present a scheme. Eith the Committee might inquire into it, or I shou be very happy to undertake the inquiry mysel

Monday, 20th June 1870.

MEMBERS PRESENT:

Mr. Baring.
Viscount Barrington.
Mr. Bouverie.
Mr. Cameron.
Mr. William Cartwright.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Sclater-Booth.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. ALGERNON BERTRAM MITFORD, called in; and Examined.

Mr. *Mitford.*
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975. *Chairman.*] ARE you a Member of the lomatic Service?—Yes.
976. What rank do you hold in it?—That of nd Secretary.
977. How long have you been in the service? first entered the service in February 1858; s in the Foreign Office then.
978. You began by being a clerk in the cign Office at the commencement?—I was in Foreign Office for several years, to commence , and then made a temporary exchange to Petersburg with Mr. Locock.
979. You went out there as attaché, I sup- e?—I went out there as third secretary, for time being; after that I came back to my at the Foreign Office; and, in March 1865, as sent off to Pekin. I remained at Pekin a r and a-half, and was transferred to Japan, re I remained three years and a-half.
980. So that you interchanged service be- en the Foreign Office and the diplomatic vice abroad twice?—In two capacities; once porarily and once permanently.
981. So that you never went through the eal of an unpaid attaché?—I was unpaid during year which I spent at the Foreign Office, but ever was an unpaid attaché.
982. Who was the Secretary of State who t you to St. Petersburg?—Lord Russell.
983. Was it at your own desire that you e sent there?—It was at the desire of Mr. cock and myself; it was a mutual affair.
984. When were you promoted to be second retary?—In March 1868.
985. To what mission are you now attached? Yeddo, the Japanese mission.
986. How long have you been in Japan?— ree and a half-years.
987. We have been told that there is a con- erable amount of dissatisfaction in the junior nches of the service at the very poor prospects advancement; do you confirm that opinion?— rtainly.
988. Have you ever made any calculation as when you have a reasonable prospect of be- ning a first secretary?—I should imagine in out from 10 to 12 years from this time.
989. How old would you be then?—In 12 ars I should be 46 years of age.
990. Have you any estimate of how long it would take you to rise from a first secretaryship to a ministry?—I should think about 14 or 16 years; but Mr. Lowther would probably be a better judge of that.
991. You could not, as I understand you, expect to rise to the highest grade under about 60 years of age?—Exactly so.
992. That is a practical example of what is commonly called the block in the profession?—Yes, it is a very practical example of it.
993. You are aware that there is a general feeling amongst your colleagues of dissatisfaction on that account?—Certainly.
994. Have you ever applied your mind to suggesting a remedy?—I have very often thought that promotion entirely by seniority is the cause of the unfairness of the block; not the cause of the block itself, but the cause of what may be termed its unfairness.
995. Every man, good or bad, goes up according to seniority, you mean?—There is no encouragement whatever to a man to do his work well, simply because he sees his neighbour who is shirking his work, and shuffling, go up, as he himself might do, knowing at the same time that he is working hard in the interests of his country.
996. There is no hope that by extraordinary exertion, or highly-skilled service, you can get a start in the profession?—I do not think that there is any hope of that.
997. May I ask, when you went to Japan had you any acquaintance with Oriental languages at all?—When I went to Japan I had already studied Chinese a considerable time.
998. Are you now acquainted with both languages?—Yes.
999. And able to converse in them?—In both.
1000. Is any inducement held out to gentlemen to make themselves masters of those languages?—On the contrary, there is every inducement to them not to make themselves masters of those languages.
1001. How so?—Simply for this reason, that if a man studies those languages, it is a matter of great personal cost to himself. I learned those languages, and in Pekin I never was employed in an interpretorial capacity, but Mr. Wade, who I suppose

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I suppose is the finest Chinese scholar living, certified that I was capable of interpreting in Chinese, and in Japan; I was not only constantly employed to go and do business on my own account without the aid of an interpreter, but also on many occasions I was called upon to interpret, notably in the case when the Duke of Edinburgh was received by the Mikado. To render myself capable to do this it cost me a sum of about 80*l.* a year, in employing what they call writers there (not tutors, but people more in the capacity of a servants) to teach me the language, and to open all Japanese letters that might be addressed to me, and to write down the answers that I dictated to them; for the acquisition of Japanese handwriting is a matter of such immense laboriousness, and takes so long a time, that I am only acquainted with one European who has ever been able to manage it.

4002. I was going to ask you whether your knowledge of Chinese or Japanese extended to a knowledge of the written character?—Up to a certain point; but not to being my own amanuensis; because if I were to copy out a despatch in Chinese or Japanese, the text of which had been written by a native, I should produce the sort of thing that a schoolboy would produce, and look ridiculous; and it is the habit of the natives to have all official things done by clerks; these men were my clerks.

4003. Is there a great difference between the written and the printed character?—There are so many characters that it is a long story to go into. When I said that there was an inducement to men not to learn these languages, I meant to refer to this fact in my experience. When Sir Harry Parkes recommended that the money which I had paid to these writers should be refunded to me from the public funds, the Foreign Office wrote, I believe, a very strong letter recommending that course; and it was thrown out by the Treasury, who said, that if I had done any extraordinary service, it was to promotion in my own profession that I must look, and not to any remuneration or gratuity from them. That is why I say that there is an inducement not to work in that direction.

4004. Mr. *Otway.*] What are we to understand by your being employed to carry on your own business in Japan?—During the five months of the year 1868, the minister, Sir Harry Parkes, was obliged to go to Yokohama, in order to look after the interests of the foreign colony there during a very critical moment; it was the time of the revolution, and the centre of the government was at Osaka. I was left at Osaka to carry on the negotiations with the foreign minister there.

4005. In your public duty, you mean?—Yes, my own business in a public capacity. I very often had negotiations to carry on with the Japanese government, and did so without an interpreter.

4006. Were you the only gentleman connected with the mission who had a knowledge of spoken Japanese?—The only one not belonging to the interpretorial class.

4007. *Chairman.*] Was any direction given to you when you first went into that part of the world, to the effect that you were to make yourself acquainted with the Chinese and Japanese languages?—Not the slightest.

4008. It was your own desire to make yourself familiar with them that made you learn them?—I cannot conceive a man living in a country of that sort without wishing to know the language in order to make himself as useful as possible.

4009. Of course if you were transferred to a distant mission in another part of the world, the knowledge of that language would be useless to you?—Quite useless, except in so far that ultimately I might again be transferred back to Japan.

4010. There is a class of interpreters, I suppose, attached to the mission at Japan?—Yes, they belong to the consular service.

4011. Are those persons in the same class of life as attachés?—It is an invidious matter to speak on, but I should say not.

4012. They are not employed in the higher branches of diplomatic business?—Naturally the chief interpreters are always with the minister, and therefore they are employed in that way; but they are not so much employed on their own account individually; they are employed more as interpreters between the minister and others; but, for instance, the Japanese secretary would form an exception to that rule, although he is an interpreter.

4013. Is there any special payment for the instruction of these gentlemen, the interpreters?—These gentlemen come out to China and Japan in the capacity of what are called student interpreters. Their passage out is paid for them, and they receive 200*l.* a year as long as they are student interpreters, until they are promoted to what is called third assistant in the consular service; and from that they rise through the grade of second assistant and first assistant to that of full interpreter, and from that to vice-consul and consul.

4014. And no doubt they are permanently attached to the mission?—They are attached to the mission until they are promoted and transferred to consulates. The Japanese secretary, however, who ranks as a consul, is permanently attached to the legation staff.

4015. Is the arrangement the same at Pekin as at Yeddo?—It is the same at both places, with the exception that at Pekin the Chinese secretary is also secretary of legation.

4016. Did you find your knowledge of Chinese any advantage to you in learning Japanese?—So far as the written character was concerned, and then when I became more familiar with Japanese, it was advantageous to me in conversing with people of rank, because they use a good deal of Chinese mixed up with the vernacular, which is believed to be a corruption of the ancient Fo-Kien dialect. Two Japanese speaking together, if they were men of education, would use that mixture. The Chinese classical works form the basis of the education of a Japanese.

4017. Is there much communication between the two nations, commercial or otherwise?—Very little; the communication between the two nations has increased enormously since the advent of foreigners, because foreigners have brought Chinese men to act as, what they call, their compradores, that is head clerks in their business, but otherwise the communication between the two nations has been religious and educational.

4018. Does the speaking of pidgin English prevail in Japan?—Pidgin English prevails in the Chinese ports; at the Japanese ports pidgin Japanese prevails; it is a mixture of Malay, Portuguese, English, and a very small proportion of Japanese.

4019. Visc

4019. Viscount *Barrington.*] Why is it called "pidgin"?—"Pidgin" is a corruption of the word "business"; when we went to China these young words of ours puzzled them, and they caught our word "business," and it became "pidgin"; it is a corruption of the word business, and pidgin English means business English; it is really a sort of corruption of English, pronounced in the most horrible manner, with a Chinese construction.

4020. *Chairman.*] I understand you to say that your diplomatic chief recommended your case for consideration to the Foreign Office for some remuneration, in consequence of what you had spent in learning the language?—I do not know whether I am doing quite right to mention this; but he recommended me for the sum of 200 *l.* to be paid to me, and the Treasury refused it.

4021. Was that lately?—Just before I left Japan.

4022. Do you anticipate having to go back there?—I do not know at all; I am still attached to that mission.

4023. Viscount *Barrington.*] Is the amount of salary that you receive there at all commensurate with the expenses attending your situation?—No; I receive 400 *l.*, and I spend 800 *l.*

4024. Is the style of living extremely expensive out there?—The style of living is expensive, on account of the extravagance of the merchants, who have raised the prices of everything; and it is also necessary, I think, if you wish to keep up your position at all towards the natives, that you should live in a suitable manner.

4025. That you should entertain to a certain extent?—Certainly; I was called upon to entertain rather largely.

4026. Junior members of the mission, do you mean?—The secretary of legation, and myself, used to mess together, and we constantly had people of the rank of the foreign minister and other Japanese noblemen, and persons of rank dining with us, and breakfasting with us; then, of course, also any travelling Englishmen who might come out and bring letters of introduction, would expect to lodge at our house for a week or a fortnight, or three weeks together.

4027. At your expense?—At our expense, if he brought letters of introduction, or was in any way known to us at all.

4028. Are there no hotels there?—During the last few months of my residence at Yeddo, there was an hotel, but it was a very rowdy place, and you would not like to send a gentleman there; during the first months of my residence there, there was absolutely nothing; Yeddo was a show place, and we were obliged to show it for nothing; travellers came either to the minister or to us; it was a very heavy expense to Sir Harry Parkes as minister, and to us, of course, proportionately great.

4029. I suppose that these student interpreters who are attached to the mission are like dragomans?—They are a higher class than that, they rise to be consuls; these are young gentlemen who come out principally from the Irish universities; generally you will find that the majority of them come from the Irish universities.

4030. And having learned the preliminary portion of their education as far as Japanese or Chinese is concerned?—Knowing nothing of those languages. You cannot learn Chinese or Japanese in England; of course, they find it excessively hard to live upon their salary of 200 *l.* a year; those in Japan are really in a seriously inconvenient position; those at Pekin are able to live on their salary, and unfortunately the salaries for Yeddo are based upon those for Pekin, Pekin being a cheap place, and Yeddo an expensive one; the extravagance of the British merchants has not affected Pekin, because no British merchant resides there, and because it is 80 miles away from the nearest open port, whereas Yeddo is close to an open port, and is itself an open city.

4031. Can you give us any account of the way in which the work is distributed in the chancery in the missions in China and Japan?—That must depend a great deal upon the individuals composing the chancery. For instance, supposing that the second secretary, who is at the head of the chancery, did as I did, made himself acquainted with the language, and was enabled to conduct negotiations by himself, he would be a good deal employed in that way, and that would take him away in a measure from the copying, and the copying of the bulky despatches, with the exception of the minister's own despatches, would be done by the student interpreters.

4032. The student interpreters would be confidentially employed?—Yes, the bulk of the inclosures are copied as a rule by the student interpreters, who are learning their business as public officials at the same time as they are learning the language, because we send them off to the consulates as trained men.

4033. Unless he is acquainted with the language out there, an Englishman can personally be of very little use, I suppose?—I should think very little; a copying clerk would do as well.

4034. Mr. *A. Russell.*] You said that there were no means of learning Chinese or Japanese in England, did you not?—There is a gentleman who calls himself professor of Chinese, at I think, the London University, or King's College, but we do not think very much of the books which he has produced.

4035. Paris is the only town in Europe where those languages can be studied?—Certainly, there they have a first-rate man, M. Stanislas Julien.

4036. Mr. *Otway.*] Is there no professors of these languages in Germany?—I am not acquainted with any what you call serious professors of Chinese and Japanese, with the exception of those at Paris. At St. Petersburg and Berlin they have professors, and, I believe, that there is a gentleman at Vienna who knows something about these languages.

4037. Viscount *Barrington.*] Have you much telegraphic business in Japan?—Scarcely ever; now and then we telegraph *viâ* Ceylon. Of course this new arrangement of the cable will give us some telegraphic work.

4038. Mr. *W. Cartwright.*] As to interpreters, does the same system prevail in the other foreign missions in Japan with regard to interpreters?—No; we are the only legation there that have any recognised system of interpreters. The Prussians have got two student interpreters now, but in no other legation is it upon the same scale at all as it is with ours; and that is what gives us so very great influence there.

4039. But what is the Prussian system there?—The Prussians have two student interpreters now, whom they are educating up to be interpreters; but the thing is not on the same scale as ours is. We have a dominant interest there entirely on that account.

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4040. In Japan I apprehend that Japanese is not the only tongue of importance, but Dutch also is important, is it not?—Not of the slightest importance at present. The reason that it was so formerly was, that the Dutch were the only Europeans with whom the Japanese for a considerable number of centuries had any communication whatever. The consequence is that at Desima Dutch was taught to a certain number of Japanese interpreters, but the reason of that was that they objected to the Dutch, or indeed to any foreigners acquiring Japanese; they did not wish the records of their country to be thrown open to foreigners.

4041. I see in the Foreign Office List that we have Japanese interpreters and Dutch interpreters?—The Dutch interpreters were appointed when the mission was first opened; when Sir Rutherford Alcock went out, a number, of Dutch interpreters were appointed; Mr. Eusden, Mr. Dohmen, Mr. Schmidt, and a number of others went out as Dutch interpreters; and the mode of interpreting was extremely cumbrous. The British minister stated any remark that he had to make to his Dutch interpreter in English, this man translated it into Dutch to the Japanese linguist, and the Japanese linguist re-translated it into Japanese to the Japanese minister, and then the process had to be reversed to get back the answer.

4042. I understand you to say that Dutch now is almost of no importance there?—None whatever.

4043. But are these Dutch interpreters who are out there now employed as consuls?—They are employed as assistants in the consular service, that is to say, those who have not been promoted to be consuls as some of them have.

4044. I think you were saying that life is very expensive at Yeddo, in contradistinction from Pekin?—Yes.

4045. Are not the juniors lodged in the case of Pekin?—Yes, and in Japan.

4046. I think you suggest that there should be no promotion strictly by seniority?—I consider that promotion entirely by seniority is not a good thing, *cæteris paribus* of course the senior man should go up, but when a man has special talents or requirements I do not see why he should not be promoted.

4047. Up to the rank of first secretary?—I do not see why he should not be promoted in the case I have supposed.

4048. Mr. *Cameron.*] Do not you think that if promotion by seniority were done away with, it might give rise to a suspicion of favouritism on the part of the Principal Secretary of State?—I think, as a rule, in a small service like ours, the working men are so well known to the rest of the service, that the Secretary of State could hardly be suspected of favouritism in promoting them.

4049. I meant, that whereas the Secretary of State might appoint men who would be perfectly well known in the profession as being able and deserving men, the public outside might think (most likely very unjust) that he was appointing some friends of his own?—I do not think that it would signify very much what the public outside said if the service itself was satisfied.

4050. But discontent in the public outside has sometimes the effect of producing alterations in the service, which the service might approve of?—That is so.

4051. Was your outward journey to Japan paid?—Yes.

4052. And your homeward journey?—I came home on sick leave. Half of the passage money to Southampton was paid to me, that is to say, 75 *l.* It cost me 200 *l.* more to get home with a servant. Coming home on sick leave, I only had the ordinary allowance that would have been made to a consular officer, 75 *l.*, half the passage money to Southampton.

4053. Did I rightly understand you to say that the service in China and Japan might be so far separated from the other portions of the Diplomatic Service, and the work be done entirely by interpreters?—No; I think that would be the very worst thing. I am entirely against the employment of specialists in these higher branches of the Diplomatic Service in China and Japan. I believe that a good man in Europe is a good man in China and Japan; and the best proof we had of that was Sir Frederick Bruce. Never had a minister more personal influence than he had.

4054. Then you think that the system of interchange should still be kept up between the missions in Europe and the missions in Japan and China?—I am quite certain that it is for the advantage of the missions in China and Japan that it should be so. Whether the gentlemen who went into the service, bargaining that they should be employed in posts in Europe and America, would care to go out to China and Japan I do not know, but I am quite sure that it is an advantage to our nation, that in dealing with Asiatics we should have the highest class of gentlemen we can to represent us.

4055. If you required the consent of these gentlemen to go to China and Japan, that would at once make a distinction?—Of the inadvisability of such a distinction I do not think there could be a doubt.

4056. How many regular diplomatic servants do you think would be required at Pekin and Yeddo?—Looking at the quantity of work that there is to be done, I should think that the regular diplomatic men should not be reduced to a number lower than they are at present; in fact, I would rather see a junior added to Japan. In Japan you have a minister, a secretary of legation, and a second secretary; and I think you ought to have a third secretary.

4057. Viscount *Barrington.*] In China there are two secretaries, are there not?—In China there are two second secretaries.

4058. Mr. *W. Cartwright.*] How many foreign missions are there in Japan?—The French, the American, the Italian, the Dutch, the Prussian, and the Austrian. The Russians never had anything more than a consul at Hakodaté, in the northern island of Yezo.

4059. How many of these missions employ native interpreters?—The French employ one French interpreter and one or more native interpreters; the Americans employ native interpreters only; the Italians employ a native interpreter; the Prussians have their own interpreters. The Austrians have no interpreter; if they want one, they borrow one from the other missions, or employ a native; but the work done through native interpreters is necessarily very indifferent. In the first place, you are never quite certain that the native interpreter will not be afraid of rendering what you say in the same outspoken manner in which you wish it said, or

at he gives you back exactly the reply. Partly rom fear and partly from want of training in hat line, he is not a good interpreter.

4060. Mr. *Cameron.*] From your experience n the Foreign Office when you were working here as a clerk, do you consider that the present ystem of permissive exchange between members f the Foreign Office and of the foreign diplo- atic service might be extended, or do you think hat it is already sufficient to meet the require- nts of the public service?—I think it is quite fficient on paper, and not sufficient in practice.

4061. How do you account for its not being fficient in practice?—Because I think the oreign Office are, perhaps, unwilling to allow a reat number of their own men to go away and o be replaced by members of the diplomatic ser- ice; I think there might always be at least one an in each department absent if it suited every- ody's wish.

4062. I think it has been represented to us hat one objection to extending that system of nterchange would be that members of the Foreign Office would feel the extra expense which they ould have to incur if they went abroad?—But hen, if it is purely voluntary on their part, that bjection does not arise; and nobody compels hem under the present arrangement.

4063. That was given us as a reason why the ystem does not prevail more, that members of he Foreign Office would feel the extra expense, nd not so much that the Foreign Office was un- illing to let them go?—I think I have heard of ases where men were willing to go out and were ot allowed to do so.

4064. I suppose that if the Foreign Office ad- mitted, in place of their own clerks, attachés or unior secretaries, these gentlemen could not be xpected to do the same amount of work as he clerks who have been there for a great many ears, and knew all the daily routine of the ffice?—I do not see why they should not be ble to attend to the daily routine of the office, n the junior branches. Of course, exchanges re not allowed in the higher branches at all; nd in the junior branches it does not take a long ime for a man to become a useful member of the epartment.

4065. Mr. *Otway.*] A junior may come into he charge of a department, may he not?—It oes not happen to a man who has just joined he Foreign Office to be left in charge of a de- artment.

4066. Mr. *Cameron.*] Your own opinion is, that it is a system which might be carried out to a greater extent than it is at present; that it is not distasteful to the clerks in the Foreign Office, or to the members of the foreign diplo- matic service, but would be rather agreeable to them?—Certainly, that is my impression.

4067. Viscount *Barrington.*] Up to what grade would you have the exchange made between the Foreign Office and the Diplomatic Service?—The second secretary in the Diplomatic Service, and the third in the department of the Foreign Office, or junior clerk of the first class; that is the rule I think at present, and I do not think it could be carried further at present; junior clerks of the first class exchange with second secreta- ries.

4068. Do you think that a second secretary could be able to take charge of the business in the Foreign Office?—Certainly not at once; after he had been working some time in the office, he ought to be able to take charge of a depart- ment.

4069. On the other hand, I suppose, a man going out from the Foreign Office would be able to take charge at once of the work of the em- bassy or mission to which he went?—He would have to learn his work there in the same way.

4070. Do you think that one is not easier than the other to learn?—It entirely depends upon the amount of work there is in the embassy. Take Paris; Paris has as difficult a chancery to manage as any department in the Foreign Office; no department in the Foreign Office requires more care, more method, or closer attention to business than the direction of the chancery at Paris; St. Petersburg also now requires a good deal of attention and care.

4071. Mr. *Cameron.*] Have you any sugges- tions to make with regard to the leave of absence to the junior members of the service, or do you think that that is in a fair and satisfactory state?—I do not see anything unfair in it; as far as I am concerned, I am perfectly satisfied with it.

4072. Mr. *F. Walpole.*] Do you think it is positively necessary that a person should dedicate himself especially to the study of Japanese, in order to fit himself competently to fulfil the du- ties of his office as you have done?—He could not do the same work as I have done as trans- lator and interpreter, unless he did know the lan- guage.

4073. But could not an ordinary diplomatic employé do it in connection with his other du- ties?—I did it in connection with my other duties.

4074. Could not a man going from one place to another fulfil the duty as well, or must he de- dicate himself to it?—No man could not make himself thoroughly useful in a country like China or Japan unless he knew the language.

4075. But would special dedication to learn the language be necessary?—If you wish to learn the language you must dedicate yourself to it thoroughly; you cannot learn the language of Japan as you would French or German. Before you learn how people speak in Japan you have to learn how they think; you cannot, what is commonly called, pick up the language; there is no such thing; it is not to be done; it is a matter of close application for many hours every day.

4076. And therefore a long period?—Yes, for a long period.

4077. A superficial knowledge is of no use, I presume?—A superficial knowledge is a thing a man would be better without; superficial know- ledge is not useful; a man must learn not only the spoken but the written language to be of any use.

4078. Mr. *Holms.*] From your experience, would you recommend that a native or natives of China should be appointed here to give instruc- tion in the language?—No; I think it is far better that men should learn the language there.

4079. You have spoken of the block in the service, and we have heard a great deal about the block in the service. Does not that block in reality arise almost entirely from the pressure that is put upon the Secretary of State for Foreign Affairs to get appointments; is not that the main reason of the block?—I do not think so. I should think the main reason was the abolition of so

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many posts; that revolutions and other external causes have acted upon the service.

4080. You think there is no pressure now upon the Secretary of State for Foreign Affairs to obtain appointments?—I am not aware. I have not access to his private secretary's book, which contains the list of applications. I daresay he is very much pressed; perhaps he is not; I mean it is a question which cannot possibly be known to anybody but the Secretary of State himself and his private secretary.

4081. The block, you believe, arises altogether from the abolition of posts, and not from the numerous applications to the Secretary of State?—I should think that was the cause of it, and then that other posts have been filled up from the consular service, and by men not belonging to the service at all.

4082. Mr. *Eastwick.*] You think that it would be inexpedient to make any attempt to have Chinese and Japanese taught in this country, even if we could get natives of the country over to assist?—If you could get a certain number of natives of the country, say two of each language, and if you found one Englishman or two Englishmen, one for each language, or one for the two languages, a man of the calibre of Mr. Wade as a Chinese scholar, and a man of the calibre of Mr. Satow as a Japanese scholar, to superintend the studies, then it would be an admirable plan, because then you would be able to select men who showed capacity, and to reject others after a term of probation; but that would be a very difficult thing to carry out.

4083. Mr. *F. Walpole.*] There is hardly demand enough, I suppose?—There is a very small number of the student interpreters appointed each year, and the question is whether it would be worth while to adopt such a plan.

4084. Is there not a professor of Japanese at Leyden, in Holland?—Yes, Mr. Hoffmann.

4085. Is that a good school?—I am not acquainted with Mr. Hoffmann's school; but I am acquainted with his book, which is a very bad one.

4086. Mr. *Eastwick.*] It is the fact, is it not, that the professor of Chinese in Paris is a fine scholar; I mean M. Stanislas Julien?—He learnt entirely from books; and M. Stanislas Julien having learnt entirely from books, and not having been himself in the country, is utterly unintelligible in conversation; but he is a magnificent scholar of the written language and of books; I believe there is no man his equal in that respect.

4087. And of course a man having a knowledge of books and the character would more rapidly pick up the language?—The spoken language is a matter of ear.

4088. Would it not be the case that such a man would more rapidly pick it up?—Certainly it would be the case that a man having a great deal of knowledge in one particular direction, would have an advantage over another man who had not that knowledge.

4089. It is a matter of experience, is it not, that those who go out to India, for instance, who have studied the language here, acquire the spoken language very much more rapidly than others?—I believe that the spoken languages of India are not extremely difficult, and I have always understood that men who study in this country with a view to acquiring them are grounded in Sanscrit, which would gives them great advantage over men who have never had any study in that direction.

4090. I would like to ask you, with regard to the expense of learning the language of Japan does it cost about 80 *l.* a year?—Yes.

4091. What do you think would be a fair donation for Government to give to a gentleman who studies the language; do you think that in a year a man could sufficiently master the language to go on by himself?—No; a man must always keep his writer or writers; if he does any extensive business at all he must have two.

4092. Then, at least two years' expenses should be allowed, you think?—I think that a man who renders himself useful in that direction should be reimbursed the charge which he has been at and that he should be allowed to keep on his writers at the public expense. They are partly teachers, and then afterwards, when they have done teaching, they become your amanuenses.

4093. They correspond to a moonshee in India?—Yes.

4094. You think that 80 *l.* a-year would be a fair sum to allow in respect of the language?—Yes.

4095. May I ask you how long you were studying Chinese before you found yourself able to converse in it?—In about 18 months I was able to do any ordinary business.

4096. And how long were you studying Japanese before you could do so?—In Japanese I took about the same time.

4097. It has been stated here by a gentleman, that Japanese could be acquired in a fortnight; that is not your view?—He would be an extraordinary gentleman who acquired it in that time. It took me about a year and a half working steadily, often as much as eight or ten hours a day, before I was intelligible in Japanese, or intelligent in it.

4098. Mr. *W. Cartwright.*] You consider Japanese more difficult than Chinese?—Simply for this reason, that a knowledge of the higher branches of Japanese involves a knowledge of Chinese.

4099. Mr. *Eastwick.*] Did you study Russian when you were at St. Petersburgh?—Yes.

4100. You would say, I suppose, that you would require 18 months for that?—A man ought to do it in a year. Any European language is much easier to learn, because you have not to learn a new order of thought. If you wish to learn to speak you must learn how the people think, and if you learn the language of a Christian nation you have an enormous advantage in understanding how they think.

4101. Supposing that this Government gave a sum in consideration of the expense of learning Japanese, do you think that there should be an examination before anything was given?—No, for this reason, that the minister out there would never recommend a man to receive compensation for having been at the expense of learning a language, unless he had already shown practical proof of being able to wield his arms; he must have produced translations, he must have interpreted on serious occasions, and conducted business on his own account; then the minister might come forward; but if a minister were to recommend a man who had never sent home a translation the Foreign Office would be perfectly justified in saying, "Why give this man anything?

4102. You have taken a degree in honours at Oxford

ford, have you not?—I went through the first ool of moderations.

4103. Do you see any reason why a degree in ours at a university might not be made a con- ion for admission into the diplomatic service?— rtainly, a good working knowledge of French uld be much more advisable.

4104. Of course that would be an accompani- nt?—I do not see that having taken honours Oxford is necessarily a sign of a good man; it a sign that he has worked at one time of his ; I think that many of the best men we have never took honours, although many of the st men we have got did.

4105. Their having taking honours would ely not be to their disadvantage?—That is other side of the question; of course, *cæteris ribus*, it would be in a man's favour.

4106. May I ask if your health suffered while t there, or did you observe that the gentlemen ployed out there suffered much in health?— ry much indeed, especially in the case of men o have served in Formosa..

4107. Would it not often be a fair thing that e term of service for pensions should be rather duced in the case of men serving in unhealthy imates?—Only fair; nothing more than fair. nd I think another thing should be noticed in ew of the climate: a man is supposed to be lowed to come home at the end of five years, d at the end of those five years he has half his ssage to Southampton paid to him, and half his ssage out again. Now the Russians behave uch more liberally to their employés out in those untries. At the end of five years' service they ive a man treble the entire cost of the journey come home; that is to say, they give him his urney home, as much again, and his journey ut again; and it appears to me that that is a ery fair reward. If a man stays five years in ose countries he is sure to have suffered more r less, and it is a great banishment.

4108. Mr. *W. Cartwright.*] Do the Russians o that in all cases?—I am talking now of the xtreme East.

4109. But they have no diplomatic servants in apan?—They have a consul at Hakodaté.

4110. Mr. *Kinnaird.*] Do you think that for ractical working in an embassy that a college ducation is not nearly as essential as a thorough nowledge of languages?—I do not think that a nowledge of languages without anything else is f much use; but I should think that a good nowledge of modern languages is of more use han that of ancient languages.

4111. Do you think that there is any advan- age afforded to a man by a college life when he nters the diplomatic service?—He probably tarts in life in debt, and has lost three years' aluable time.

4112. Mr. *Rylands.*] I think I understood that he student interpreters were gradually advanced through the appointments of third, second, and first assistants until they reached the position of vice consul?—The position of interpreter.

4113. Then what rank does the interpreter hold in the legation; what position does he occupy?—The interpreter, I believe, ranks with, but after, the vice consul.

4114. Is the appointment of vice consul occasionally given to the interpreter as a further advancement?—Certainly, according to the present system.

4115. Then, in fact, the line of promotion is, as I imagined, from the position of a student interpreter to that of vice consul, and possibly consul?—Yes, that is their career.

4116. And in the legation at Yeddo the business is very much of the nature of a consulate; that is to say, the head of the legation is also consul general, and superintends the whole of the consular work at Yeddo?—So it is at Pekin; the minister at Pekin does that in his capacity of superintendent of trade (that was the title given to him many years ago), and the minister at Japan, as consul general in Japan, also superintends all the consulates.

4117. Then, in point of fact, in China and Japan the two services are amalgamated in their operations?—Yes, up to a certain point they are amalgamated; that is to say, that the minister who has the ministerial duties to perform of negotiating between the two countries, also has the control and supervision of the consulates; that is added to his ministerial work.

4118. Viscount *Barrington.*] Our ambassador at Constantinople has the control of all consulates in the East, has he not?—Yes, that is so.

4119. Mr. *Rylands.*] With respect to the secretary of legation, and the second secretary; would they do any consular business, or interfere in any way with the consular department?—Not in any way, except so far as conducting the business of the legations is concerned, and doing anything that their chiefs tell them; but the consulates are supervised by the chief of the mission, and naturally we subordinates do not interfere with the action of our chiefs.

4120. I understand that the point of contact is at the top, and not in the lower ranks?—Of course it influences the work of the lower ranks, more or less.

4121. Could you tell me, for instance, in Yeddo, where there is a vice consul who acts under the envoy extraordinary and consul general, whether the vice consul has a separate office?—It is a separate office altogether; he lives at a separate place, and he corresponds, not directly with the chief, but with the branch of the consulate at Yokohama; he is subordinate to the Yokohama consulate; the legation is a legation between the two countries, and it is also a consulate general; the vice consul at Yeddo is the vice of the consul at Yokohama.

4122. And above both comes the minister plenipotentiary?—Naturally, in his capacity of consul general.

4123. In what respect do the action of the legation and the action of the consulate touch each other below the action of the head of the mission?—In respect of copying.

4124. Would you explain that further?—The consulates throughout Japan report to the minister; they report what is going on at the different open ports. These despatches come into the legation at Yeddo, and are forwarded home or not at the discretion of the minister; the minister of course approves or disapproves of the action of the consuls in any matter in which their action is brought before him; and he also suggests and sends home a recommendation for the promotion of the consular officers. In fact, he is the head of the service.

4125. In the event of any breakdown in a consulate, arising from illness or any other cause, there would be no action taken by the subordinates in the mission in order to supply the deficiency of an officer in the consulate proper?—

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Not except at the orders of their chief, the minister; the minister might at any moment send one of the consular officers attached to the legation, to go and relieve a certain consulate which might be short-handed; but no man could of his own accord, because he heard that a consulate was in distress rush to its assistance.

4126. I should judge from your evidence, what I presume is notoriously a fact, that the conduct of the missions in the East varies considerably from that of the missions in Europe?—Certainly it does; there are very different surroundings.

4127. Have you formed any opinion as to how far it would be desirable that the eastern embassies and missions should be considered a class apart?—I am decidedly of opinion that they should not be considered a class apart.

4128. You would then be of opinion that there is no advantage in the officials of those missions looking to that especial service as their future career?—I think that there might be cases in which that would be desirable where a man showed a special disposition and a special ability for a post. Then that goes into the larger question of promoting by ability and not by mere routine.

4129. We will come to that in a moment: I was rather anxious to get to know from your practical experience, as you have seen something of European missions, and have had considerable experience in the East also, whether you thought the system in the East was so different as to justify the placing of those embassies and missions in the East as a separate class?—It appears to me not desirable to do so in a general way; on the contrary, I would rather see the higher branches in the East recruited from men in the regular diplomatic service.

4130. Although the men in the diplomatic service might, on being appointed to the East, be entirely ignorant of the languages and customs of the nations that they were brought in contact with?—Yes; because if a man is worth anything, if he is worth his salt, he will, when he goes out there, take up the line that has been approved by his country and his nation, and work for a time till he has learnt it. Take Sir Frederick Bruce. No minister ever acquired the same influence in China as Sir Frederick Bruce. He was colonial secretary, I think, at Hong Kong, but that has nothing to do with Pekin; it is as different from Pekin as Russia is from England. He went out not knowing anything of the people and the language, and no man ever acquired so much influence with the Chinese as Sir Frederick Bruce did.

4131. Perhaps it might be possible to give some reason for that; but without going into that point, and leaving out of view the case of a man of marked ability, is it seriously your opinion that there would be no disadvantage or inconvenience in recruiting the higher ranks of the service in the East, I mean not only the heads of the missions, but also the secretaries of legation, by drawing from the European missions men totally ignorant of the customs of the East, and of the Chinese and Japanese language?—Certainly I am of that opinion. I should be cutting my own throat, if I were not. I knew nothing of China and Japan when I went out there; I made it my business to learn the languages.

4132. But you went out as a junior?—And why should not a senior do the same thing?

4133. But as men get old they get less able, do they not, to take up the very difficult task that you have accomplished?—It may be more difficult for a man as he gets on in life to acquire a language; but a minister has got his interpreters there to do the speaking for him, and all he has got to do is to learn the people, and that a man may learn at any age.

4134. You have got a very remarkable knowledge of these languages, and a very considerable amount of experience, and I should like to ask you whether you think that your knowledge of these languages and the experience that you have obtained are not likely to facilitate your future career and usefulness if you remain in China and Japan?—Of course, the more you know the more useful you are; but I do not see why any other man should not make himself as useful, provided he takes the same amount of trouble.

4135. But supposing that he does not take the same amount of trouble, and supposing the system were such that in consequence of your having taken that trouble, and displayed that ability you could be appointed to a higher and more advantageous position?—I should be very much obliged to the system.

4136. You would think the system not a despicable one?—I should much prefer it, of course.

4137. I understand you to say that now notwithstanding the knowledge that you have acquired, you are in no better position?—I beg your pardon. I think I have not alluded to myself. I have only answered questions as far as they were put to me; I have not attempted to put myself forward in any way.

4138. Of course your evidence has been admirably given, but I quite understood you to say that, so far from the present system encouraging the sort of labour which you have given for the learning of these Oriental languages you have found that the system discouraged it?—I said that the system as it at present exists was a discouragement to men who attempted to learn the language, simply because it is an occasion for them to disburse so much more out of their pockets.

4139. Did I not rightly understand you to say that the routine system of promotion caused the unfairness of the block, because when a man has given himself the kind of trouble that you have given yourself, he did not get any advantage in promotion in consequence of that?—I do not think I said that of myself.

4140. I ask whether you did not say that the effect of the system was that?—I did not allude to myself. I said that the effect was that a man might work as hard as he pleased, and might see his next-door neighbour shirking and shuffling and advanced just as rapidly as he himself, who was conscious of having done good work.

4141. And you thought that that was the unfairness of the present system?—Yes. I did not allude to myself.

4142. I do not want to fasten it on yourself; I am merely asking your opinion; that is your opinion, as I gather?—I said that that was the cause, not of the block, but of the unfairness of the block.

4143. Then I ask you whether you think that if, in the missions in the East, encouragement was given to the sort of knowledge of languages and care and ability which a young man might display by such a promotion in connection with the mission

s of the East as would repay him for his uble and expense, under those circumstances would not be a more efficient service in the st?—I think, certainly, if you find a man cially capable of doing the special thing, and a want that special thing done, that is the man om you naturally would be inclined to employ, l whom you ought to employ. But what I say this, that where there are not those men (beuse there are not a great many specialists in stern matters) but all are equally able, the e is different. If you have got an able man, l appoint him to go out to the East, naturally he ll learn all that it is requisite for him to learn.

4144. No doubt that must be the case as a neral rule; but the fact is, that men do differ, l that you find some men who are anxious to ke themselves useful and master a language, ile you find other men careless about it?—at you will find as well in Europe as in the st.

4145. And your policy, as I understand, would that those men who seek to make themselves eful, and do become useful, should get on? I do not separate the East from Europe. My a is, that no people in the world have such a en eye for a gentleman, a man of high breeding the Asiatics; and certainly in dealing with em I would employ men of as high breeding and rth as I could get to represent this country.

4146. You do not consider that a knowledge of inese or Japan would be any impediment to a an being a gentleman, I presume; my question whether it is not desirable to employ in our issions in the East men who, from their knowdge of the language and their experience in the stoms of the East, would be found to be effient, rather than to employ men who have neither nowledge of the language, nor any experience in e customs of the East, and I take it that you ve said that, in your opinion, it would be an vantage to employ men of that class with knowdge and experience?—Provided that they were itable in other respects; not otherwise.

4147. So that if you have two gentlemen of qual ability, and of equal distinction in other capaties, one of whom knows the Chinese language nd the customs of the people thoroughly, it would e advisable to send that man to China rather an the other?—Yes; but I would any day ather send a man who was a thorough gentlean, and a man of distinction (and ability, of ourse), to China, without any knowledge of hinese, than I would send a man of the class to hom allusion has frequently been made in this ommittee, as to whether they would not be proer men to appoint to the diplomatic service, howver good his knowledge of Chinese might be.

4148. At all events, I may take it that your pinion is, that there should be promotion in the ervice dependent upon the capacity and upon ne knowledge of the members of the service?—ertainly.

4149. That is to say, that you think that if it ere known by the junior members of the service nat in consequence of their intelligence and their are, they would be likely to have promotion, that ould be an inducement to their doing their work nore efficiently than otherwise might be the case?—Certainly.

4150. In the evidence that we had given to us y a gentleman who has held the position of econd secretary of legation, he expresses a fear and I should be glad to hear whether you concur with him), in reply to a question that I put to him on this very subject, that promotion by merit would create bad feeling: he said, "I wish it to be understood that my reason for not promoting a second secretary by merit is, that, as I consider, it would create a very bad feeling in the chanceries in the conduct of the business to have these young men attachés, and third and second secretaries, who are at work in the same room, all trying to cut each other in their daily work, each trying to distinguish himself unduly, and so on, to the detriment of his colleagues;" I gather that you would not be inclined to concur in that opinion?—I do not think that there is any reason to feel any alarm on that score.

4151. And, with regard to any question of favouritism, the promotion depending, as it would do, very much, upon the recommendation of the head of the mission, you do not consider that if it were felt, as it would be, in the service, that the promotion was on justifiable grounds, there would be any reason to fear any public expression of dissatisfaction?—No.

4152. I notice that you have mentioned that a considerable portion of the work in the missions in China and Japan arose out of the copying of bulky enclosures?—Yes.

4153. I should like to know whether you think that any saving of labour might be advantageously obtained in the missions by the use of copying presses?—No, I do not think that copying papers would answer in missions at all; because it would not be desirable very often to have an unlimited number of copies of confidential despatches lying about; of course, great care would be taken; still, there never would be the same guarantee that information of a delicate nature did not get abroad that there is now.

4154. You are aware that if the copying press was used, the number of copies would not be greater than if they were copied by hand, that is to say, there would only be the number of copies taken that might be required for the purpose of the office?—It would not be very difficult to take another copy; I am only supposing the worst.

4155. You think that there might be an unlimited number of copies taken by the copying machine?—Supposing that the copying machine happened to be in the hands of some dishonest person.

4156. Of course you are aware that the copying would be done by some one employed in the mission?—Naturally.

4157. And I presume that the copying of letters is done by somebody employed in the office?—The copying of letters is done by ourselves; I think that very often in some missions there would be a danger lest the chancery servant or somebody should get hold of a copy if a copying press were used.

4158. Your objection to these copying presses is that you think it might possibly lead to some breaking of confidence on the part of some persons employed in the mission if copying presses were used?—I object to the plan because I have known such cases happen in places where lithographing was done; in the service of a foreign country, for instance, I have known that.

4159. But in lithographing you have a large number of copies, and you take the impressions from a stone?—That stone was supposed to be in very confidential hands.

4160. Viscount *Barrington.*] I understand you

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to allude to the mission of a foreign country, not to any breach of confidence likely to arise in our own?—It is an invidious question to deal with.

4161. Mr. *W. Cartwright.*] Do you think that it might facilitate clandestine copies?—I have never heard of such a thing, I must confess, in our service.

4162. Mr. *Rylands.*] You are aware that one great reason for the block in the service which is complained of is the number of juniors in proportion to the senior appointments; that is, of course, the main origin of the block?—I suppose so.

4163. Then anything which would reduce the number of junior in proportion to the senior appointments would have a tendency to relieve the block, would it not?—I suppose so.

4164. Then do not you think that one mode of relieving what is occasioning considerable dissatisfaction in the service would be to adopt a system under which a considerable proportion of the routine work of the office might be done by clerks of a character lower rather than the attachés?—Those were the very people that I was thinking of (because I have heard this question being put before) with regard to the copying presses.

4165. You do not think that that is an advisable way of curing the block in the service, reducing the number of juniors by employing clerks who would not look to the line of promotion?—It might be a good thing; it might answer.

4166. You do not object to it?—I have no objection to it.

4167. Mr. *F. Walpole.*] You do not approve of it?—I think that there is always this danger, that you sometimes see persons of that class gradually feel their way upwards.

4168. Mr. *Holms.*] As regards the public interest, do you see any harm in the plan suggested?—I see that harm.

4169. Mr. *Rylands.*] That is to say, you think that this class of clerks would not be satisfied to be in the position under which they had taken their appointments?—I think that you would find them either gradually trying to creep upwards or getting discontented.

4170. Mr. *F. Walpole.*] Would the work be done as well then as it is now?—It could not be better done.

4171. Mr. *Rylands.*] I daresay you are aware that, in connection with the War Office, there has been a complaint amongst the clerks in the War Office of slowness of promotion, very similar to that which now obtains in the Diplomatic Service?—I have heard of it in connection with a great many public offices.

4172. And I daresay that you have heard of Lord Northbrook's Committee on the subject of the organisation of the War Department?—Yes.

4173. And that in the report of that Committee there is a recommendation of the appointment of writers of a class inferior to the clerks in the line of promotion, with a view to remedy the block in the War Office?—Yes, I have heard so.

4174. With regard to the exchanges between the Foreign Office and the Diplomatic Service, have you considered at all whether those exchanges would be facilitated by the ranks of clerks in the Foreign Office being made to correspond with the different classes of secretaries of legation?—They do now correspond up to the rank of second secretary. Supposing, for instance, that a junior clerk of the first class in the Foreign Office wishes to exchange into the Diplomatic Service, he exchanges with a second secretary, and below that rank he exchanges with a third secretary.

4175. Do you not think that there is any existing difficulty which would be removed by a more complete amalgamation of the line of promotion between the two services?—I do not think so.

4176. With regard to the exchanges, you think that it would be to the advantage of the Diplomatic Service if there were more frequent opportunities for the under secretaries of legation to exchange with clerks in the Foreign Office?—I think it is a very good thing that men in the Diplomatic Service should have an opportunity of returning to their own country now and then for something more than the two months which is their leave of absence.

4177. Do you approve of the system of under secretaries of legation being transferred very frequently from one mission to another?—Not very frequently; I do not think it is fair upon them on account of the expense that it entails, especially upon the married men.

4178. Do not you think that it will have this injurious effect, that an under secretary who has obtained pretty considerable information in connection with one mission when he goes to a new mission goes there entirely ignorant of the circumstances of the mission to which he is appointed?—But in quite the junior branches of the service, for instance, attachés and third secretaries, it is necessary that they should see a good many countries, in order to make themselves practically acquainted with the whole working of the Diplomatic Service, and foreign affairs in general.

4179. Without going to the extent of saying that they should not be transferred at all, the effect of the present frequent transfer is that by continually removing under secretaries from one place to another, you have at all times almost one of the secretaries who is not conversant with the business of the legation; is not that so?—I should hardly think that it operated injuriously.

4180. Then, in point of fact, there is no great difficulty in the work of a third secretary that needs experience?—He is gathering experience for his after life.

4181. But with regard to the peculiar experience belonging to his particular mission, the experience of a third secretary in Vienna, for instance, would not be very different from the routine work that he had to perform in Paris?—It would be the same sort of work.

4182. With regard to the chancellerie work in Paris, you said it was as difficult as the Foreign Office; you have been at Paris, I think?—I have never been attached at Paris, but I have been in the chancery there very often.

4183. Can you speak of the work of the chancery there?—From having watched it.

4184. There is a great amount of work in Paris, is there not, very much like the work in the Foreign Office, arising from the fact that the Paris embassy is looked upon almost as another foreign office, taking the supervision of the affairs of the other embassies and missions?—Not that it takes the supervision of the affairs of the other embassies and missions; but it certainly is one of the great channels of communication, and the telegraphic work there alone is enormous.

4185. Are those telegrams passing through that

is to say going to Paris, and transmitted from e elsewhere, or are they principally to Paris f?—Principally telegrams addressed to Paris, ould think.

486. Then with regard to despatches, is there h copying in Paris of despatches sent under g seal?—Yes; it is frequently the case with atches sent under flying seal that the ambas- r orders copies of them.

487. And all that work, you think, is better e by the juniors in the embassy than it would y any permanent clerk?—It is very confiden- work you know.

488. And you think that that would be an ction to the appointment of a number of clerks a great part of the work in the Paris embassy? great deal might be done by anybody. Such gs as the registration of births, deaths, and riages, the transfer of lunatics between the countries, and small petty claims between ermen on our side and fishermen on the French , might be done naturally by anybody.

489. Mr. *Otway.*] Generally speaking, you of opinion that much of the work that comes an embassy or legation is of a confidential racter, requiring a man in whose discretion honour you can have confidence to deal with —Yes.

490. And, as a rule, copies of a despatch in a ign legation are not numerous, and therefore achine would not be applicable, the machine ng principally advantageous where the copies e to be repeated?—Yes.

491. Before asking you with reference to an, I want to refer to one or two other matters which you have been questioned. With re- d to promotion by seniority, you are aware t promotion is not absolutely by seniority?— eoretically I believe it is not, but practically nd that it is very much by seniority.

4192. Have you ever contemplated a system which a portion should be by seniority and a tion by selection, by way of obviating the idea ggested by an honourable Member, that the cretary of State might be supposed to be given favouritism in those promotions?—No.

4193. Do you think such a system would work vantageously?—It would be very difficult to rk, I think.

4194. That every alternate vacancy, for in- nce, might be filled by the selection of the cretary of State, and every other vacancy go seniority?—I do not think that it would rk.

4195. Do you think that members, looking to ur general knowledge of circumstances, might induced to retire from your rank in the pro- sion, and the block thereby be relieved by atuities being given to them?—I should say would depend entirely upon the amount of the atuity.

4196. Of course, when I put the question, I ean a gratuity of a moderate character, but e that would be a temptation to a man, being sed on the salary he had been receiving?—I ould certainly be tempted myself by a good atuity.

4197. I do not know whether you are aware at a system of retirement has been proposed sed on their principle for the non-purchase stem in the army?—Yes.

4198. Would you think that such a system as at would tend to relieve the block in the ser- ce?—It might; you might get men to go. I do not know at all whether you would, for it is very difficult to say, because we never see enough of one another to enable us to know; and it is not possible to call a council upon it and get the opinion of the majority upon the subject.

4199. Now, coming to Japan, there have been great changes in that country lately, have there not?—Immense changes.

4200. Of which you have furnished a very full and, I may say, a very interesting account. Do you think that our diplomacy has in any way affected those changes in the government of the Mikados?—Most certainly I do; I think that the moral support that the English gave to the Mikados' party constantly, almost from its very birth, was one main cause of its success.

4201. And I think there can be no doubt in your mind that those changes will be beneficial to this country, and to Europe generally?—Certainly, because in former days you had in Japan a government which was no government, a government only ruling over small patches of territory here and there, and not recognised by the nation at large, whereas now you have an intelligible government recognised by the nation at large, and this government is giving signs of its intelligence by promoting such things as railroads and telegraphs.

4202. I think it would be interesting to the Committee if, as shortly as you can, you would describe the constitutional changes that have taken place in Japan, and which you say diplomacy has assisted in bringing about?—It is rather difficult for me to do so off-hand, because it is like saying one's lesson without having prepared it. But when Lord Elgin first went to Japan, in 1858, the Dutch were the only people that had any connexion or communication whatever with the Japanese nation. They lived in a small island called Desima, where they were kept in a sort of thraldom, and where they had to do all sorts of humiliating service and obeisance to the Tycoon government for the privilege of residing there; then the Americans came to Japan, and they availed themselves of the news of the success of the British forces and French forces in China to persuade the Japanese to partially open their country to them, and held themselves out as a sort of protectorate. Lord Elgin arrived there, and found the Tycoon's government at Yeddo, and he wished to conclude his treaty; the Tycoon's ministers replied that they could not conclude the treaty without reference to Kioto, which was the capital of the Mikado; it was believed that this was a mere subterfuge, a piece of Asiatic diplomacy, and the excuse was not listened to, and we made a treaty with the Tycoon as Emperor of Japan; but the Tycoon was no more Emperor of Japan than any member of this Committee was; he was the Maire du Palais of the Roi Fainéant; the office was created at the end of the 12th century, and from that time forth the Mikado had been entirely a sleeping monarch; he had remained in his old capital, occupied exclusively with ecclesiastical affairs and certain functions of State; and the Tycoon had carried on every thing; but there was a very large class of daimios, powerful nobles, some of whom were of higher personal rank than the tycoons themselves, who viewed the power of the tycoons with great jealousy, and had done so for a great number of years; people have not taken into consideration in this country how long the discontent had been brew-

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ing; these nobles saw in our advent an opportunity of upsetting the Tycoon's Government, and of reinstating the Mikado in the power of his ancestors; and when the Tycoon made treaties with us, and confined foreigners to certain ports under his own jurisdiction, this was made a great grievance by the nobles, who said that he wished to monopolise the advantages of foreign trade. That was a nucleus of the confederation against the Tycoon. A few years after we were established in the open ports there began great troubles at Yeddo, the British Legation was attacked, the prime minister of the Tycoon was murdered on his way home from the castle, the secretary of the American legation was murdered, an Englishman was murdered on the road between Yokohama and Yeddo and two others severely wounded. There were constant threats against foreigners; several foreigners were murdered; the site which had been set aside for the foreign legations at Yeddo, and which had been partially built, was devastated by fire; and the whole of this was an attempt to embroil the Tycoon and get him into trouble with foreigners, in order that the daimios might put him down. To cut a long story short, in the month of January 1868 things had reached their climax. We went down to open the ports of Osaka and Hiogo, and it was there that the civil war burst out. The Tycoon was driven out of Kioto; his great supporter, who had the guardianship of the Palace of the Mikado, was turned out with him, and there were three days of hard fighting between the two cities of Osaka and Kioto, which resulted in the complete victory of the confederate daimios against the Tycoon. The Tycoon retired to Yeddo, and was invited to disembowel himself, which he refused to do. He had already been deprived of his offices by an edict, but his territories were confiscated, and a younger member of the family was nominated to take the chief position in the family, and the Mikado announced his willingness to observe all the treaties which had been made with foreigners. An intelligible government was formed; certain of the principal daimios were named to the principal offices, and they were joined in this by the old nobles of the Mikado's court, some of whom have turned out to be men of remarkable ability and culture; men of whom we knew nothing at all before, but men of great rank and influence, although very poor. These were men of the most ancient lineage and family, whose ancestors had been shut up in Kioto with their master, the Mikado, for centuries.

4203. Mr. *W. Cartwright.*] Do you mean that they were nobles of the 12th century?—Some of them are of Imperial descent, and most of the families date from several centuries before our era.

4204. They were the class of nobles who were in power at that time?—Yes; they have always had a sort of undercurrent of power; when the Tycoon said that he had no power to make treaties with foreigners without reference to Kioto he was telling the truth, though we thought that he was using a subterfuge. Then the Mikado took possession of Yeddo, which had hitherto been the capital of the Tycoons, and which certainly is the most desirable capital for the whole of the Island of Japan, settled himself there, and called a council of the daimios around him; the daimios answered to his call, and of their own free will and accord, four of them inaugurati the movement, gave up the whole of their ter tories, revenues, and men to the Mikado, so to produce an united Japan, throughout wh there should be one law, that of the Mik reigning supreme; I suppose it was one of most remarkable movements in modern histo These daimios were *quasi* independent prin with the power of life and death; kings, and m than kings in their own provinces; they h surrendered this all up to the Mikado and m him supreme; then a parliament was formed sort of House of Commons, composed of the tainers of these men, one man from every (that would be about 276 men), and they ha been engaged in debating various questions, s relating to foreign commerce, others relating internal questions; one was as to mixed partn ships between foreigners and Japanese; howev this parliament is not supposed to have a weight in the state, it is merely a means of asc taining the opinions of men; the government not profess to be bound by it. So that in fact the present moment the change is from a feu system, of which the Tycoon was the type, t constitutional monarchy, which is in the cou of formation.

4205. Mr. *Otway.*] All these changes, y have no hesitation in saying, are beneficial n only to Japan but to those other nations th have intercourse with Japan?—Yes.

4206. And European diplomacy has been i strumental in bringing about this result?—It h been intrumental in an entirely subordin manner, in a negative manner.

4207. But diplomacy has supported the Mika in the changes which have been so beneficial? Yes.

4208. With regard to these debates in th parliament, I understand you to say that t government is not bound by them?—They a not bound by them; it is a way of ascertaini the opinions of men; in fact, here was a dangero class of men, and the Government thought, they could have their talk, they would expe their wrath in talk, and use their swords a litt less.

4209. In one of these debates that I have re it is debated whether the government shou tolerate, or discourage, or promote the introd tion of foreigners; that must be a question wh the government would have to take action upo would it not, if influential men declared, by large majority, against tolerating foreigners?- Certainly; in fact there were a certain numb of questions proposed to the house for them answer.

4210. The parliament is not without influen on the government then, is it?—It has a s of indirect influence on the government, n turally; still, it is merely supposed to be a mea of ascertaining the minds of men.

4211. You have mentioned the expense of e tertaining that fell upon yourself and yo colleagues; was that in consequence of gentl men coming to Japan with letters of introducti to you personally, or was it entertaining gentl men who were living there?—It was cause occasionally, by persons coming with letters introduction to us personally; when such perso came, we, in our position, could not avoid ente taining them; and also, as I told the Committ before, we had to receive Japanese men of ran such as the foreign minister and others, who, fr

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Mr. *Mitford.*
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ne to time, would rather look to come and dine h us, and talk over matters in that way.

4212. Why should that devolve on you?—Be- use they used to come, and we could not send em away.

4213. But Japan would not differ from other es in that respect, would it?—Yes, because re you have a house mounted, and you have ur cook in the house, and it is the custom in e East when a man comes to your house that he ould break bread there.

4214. How do the other foreign legations act regard to entertaining?—The other foreign gations reside principally at Yokohama, never e the Japanese at all, but live entirely amongst emselves, and play a very secondary part in the untry.

4215. Do the French ever entertain in that ay?—They hardly ever come to Yeddo.

4216. Do the United States representatives? Very little.

4217. *Chairman.*] Is there a large commercial body established now at Yokohama?—A very large body, and also at Yeddo, Hiogo, Osaka, Nagasaki, Niigata, and Hakodaté.

4218. And are there English merchants in those places?—Yes, a large number.

4219. Do any large proportion of them possess a knowledge of Japanese?—Only the pidgin Japanese; just enough to enable them to converse with their servants, and give an order.

4220. Would it be a great advantage to them in their business if they had a familiarity with the language?—They most of them regret now that when they first went there they did not acquire it.

4221. I was going to ask whether your own knowledge of Japanese could be turned to account in that part of the world, if you directed your abilities in that line of life?—I have had two or three offers made me.

Sir Henry Drummond Wolff, K.C.M.G., called in; and Examined.

Sir *H. D. Wolff.* K.C.M.G.

4222. Mr. *Rylands.*] I think that you were rmerly in the Foreign Office?—I was 12 years the Foreign Office, and twice during that time was sent abroad. I was then assistant private cretary to Lord Malmesbury, and afterwards Lord Lytton, in the Colonial Office I was ter appointed secretary in the Ionian Islands, here a portion of my duty was corresponding ith Her Majesty's diplomatic and consular re- esentatives in the Levant. On one occasion I as sent home to confer with the Foreign Office to consular jurisdiction in the Levant.

4223. Your attention has generally been di- ected to the arrangements in the Foreign Office nd the diplomatic service, with a view to increased fficiency and economy?—Yes.

4224. Have you formed any opinion as to how ar diplomacy should be considered an exclusive rofession?—I think that it must be considered exclusive profession up to a certain point. I o not see how you can get men of sufficient alibre and education to go abroad, unless you old out some hopes of promotion to them.

4225. Would you think that those hopes would e sufficiently strong in the case of a routine pro- notion without there being a certain amount of romotion dependent upon merit?—No; I think hat the promotion should entirely depend on erit, and I do not think that I should hold out diplomatists any certainty of promotion beyond he rank of envoy extraordinary. In my opinion he post of an ambassador ought to be exclusively served for the discretion of the Secretary of tate, to give either to a professional diplomatist, to a politician sent straight from this country s he thought fit.

4226. From your experience of missions abroad, re you of opinion that any steps should be taken y means of which there would be a diminution f the number of juniors in proportion to the ccupants of the higher offices in the profession? —In my opinion, the whole system might be im- roved by a general revision. I am not speaking t all of the *personnel* of the Diplomatic or onsular Service; because I think that in- ividually our diplomatists are the best men; ney are superior to the diplomatic servants f any other country. At the same time I think that you might improve their position generally, and render the service more efficient by a general amalgation of all branches of the service, the Foreign Office, the Consular Service, and the Diplomatic Service, by establishing equivalent ranks, as I believe that they are called in the Army, in each one of these branches of the service; and then you might appoint second secretaries to first-rate consulates, and make it a *sine quâ non* that a second secretary should go through a first-rate consulate before he was made a first secretary. By that means you would, in the first place, improve the position of the second secretary. You have men now almost eating their hearts out at 300 *l.* or 400 *l.* a-year, at the age of 27 or 28; whereas if they got these consulates they might get 700 *l.*, or 800 *l.*, or 1000 *l.* a year, which would be an adequate provision for them while they would also be learning a great deal of the routine of commerce, which is now the principal element in the business of a diplomatic establishment.

4227. Then, in fact, you think that the amalgamation of the services would be twofold in its advantages; one being that it would give a better range of promotion, and the other that it would increase the information and efficiency of the officers employed in the service?—Yes.

4228. In your judgment, from the experience you have had of the Foreign Office, do you believe that the fact that there is not such an amalgamation as you suggest does interfere with the exchanges between the Foreign Office and the Diplomatic Service, which many persons recommend?—I think that in every way such amalgamation would be advantageous. The present system gives rise to a great many anomalies. There are one or two posts which really require a diplomatist and politician, but which are reserved for the consular service, simply because they are called consular posts. For instance, the consul general at Bucharest, the consul general at Tunis, and the consul general in Egypt, are practically ministers. They are not consuls in the generally accepted sense of the word "consuls." They are diplomatists; but because these happen to be consular appointments, they are given to men who are consuls, and these men come to these posts

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as the height of their career, and are unable to aspire to anything higher, because they are consuls. A great many posts besides those I have mentioned are now held by consuls which might be held by diplomatists. Nearly all the consulates in the Levant are really political posts, and other countries, such as France and Russia, appoint men to those posts whose calibre is that of a diplomatist. For instance, M. Tissot, now the first secretary here, was appointed consul general at Janina when I was at Corfu. That is a political post, so that it is rather an anomaly to send a consul out there to act as a politician with no hope of promotion, except perhaps to a commercial consulate.

4229. A fear has been expressed lest if there were any such amalgamation, consuls in small places abroad might think it necessary to interfere in political matters; have you any such apprehension?—I do not see how that could be. In the East they must interfere in political matters, because everything is more or less a political question; but I do not see how a man who was consul at Marseilles could find out anything political that he could do there to the prejudice of the service. I do not see any mercantile port where he could find much room for politics.

4230. In a mercantile port, if a consul were to see any movement of armed vessels, that he would think of political importance, it would be his duty to communicate that, I presume?—Yes.

4231. So that, in fact, there is a certain amount of political business to which they attend now?—Yes; and the consul is bound to report to the ambassador or minister now, anything in the shape of a political movement; still reporting is one thing and action is another.

4232. You think it quite absurd to imagine that a consul engaged in attending to commercial questions could assume any political influence?—It appears to me impossible that he should do any harm in that way, at all events very unlikely.

4233. Taking the head of the services, I think you will agree with me, that the fact is that now there is much greater attention paid to commercial matters in connection with our Foreign Office and diplomatic system than was formerly the case?—Enormously. In fact, in some capitals the great duty of the missions, so far as I have seen, has been in connection with commercial matters and railroads. Concessions of different kinds are always being obtained in different capitals, and the diplomatic establishment then has to occupy itself with these to assist British subjects, and protect their interests in every kind of way. Therefore a knowledge of the routine of commercial matters, such as would be attained by a man who had passed some time at a commercial port, would be of unspeakable advantage to him in his career.

4234. In the negotiations between this country and countries abroad, is it not impossible almost to draw a distinct line of demarcation between the political questions and mercantile and commercial questions?—I think commercial questions very often attain a political character. I do not say that political questions are always commercial ones.

4235. They often run one into the other?—They often do run into each other.

4236. And in fact now, in the negotiation of questions abroad, commercial questions continually come up before our diplomatic representatives?—Continually.

4237. When you were in the Foreign Office, and acting as private secretary to the Foreign Secretary, did it ever come under your notice that at that time there were complaints made by commercial bodies in this country that sufficient attention was not paid to commercial matters by the Foreign Office?—No, I do not recollect it at all.

4238. Are you not aware that there were complaints of that kind a few years ago?—After I left the Foreign Office there was a movement by which a commercial department was established in the Foreign Office, but that was since my time; and I believe that that has worked very satisfactorily, from everything that I hear.

4239. In your judgment, I take it, you would expect that a commercial department being established in the Foreign Office would tend very much to the work of the department being satisfactorily done in relation to commercial questions?—Certainly.

4240. And that your way of more completely amalgamating the services would still further promote the satisfactory working of the department in relation to foreign questions of trade?—I think so.

4241. You would not, in view of such amalgamation, effect it with a view to rob the consular department to serve the diplomatic department, to find places for the diplomatic department?—I should make it all the same thing.

4242. With a view of giving advantages to all alike?—To all alike hereafter. I think at the present moment you might have a great difficulty in putting existing consuls into the diplomatic service, because their whole groove of life has been different; but hereafter I should let every man who goes into the diplomatic service, or serves the Secretary of State, know that he was to go through every branch of the service, the consular the home administration, and the diplomatic service.

4243. And although you think, in the first instance, that it might tend to the advantage of members of the diplomatic profession, in which there is now a block, yet your expectation would be that, in the long run, it would so amalgamate the different branches as to be equally advantageous to all?—Yes.

4244. And in the filling of the position of vice consul or consul in the service, any man of remarkable ability you would consider in consequence of his conduct, would place himself in a position in which he would be likely to obtain promotion?—I should make it indiscriminate; I should not say that this man was to enter as a consul, and he might hope for promotion in the diplomatic service. I should say that a man going into the service was a member of the service, and, whether a consul or attaché, was to be entitled to the same species of promotion.

4245. You would make it one army, but have three divisions of it, the Foreign Office, the diplomatic department, and the consular service?—Yes.

4246. Mr. *W. Cartwright.*] There are in the diplomatic service, consuls that have been drafted into it, are there not?—Yes; but it is a jump on every occasion. I should make it the rule where it is now the exception.

4247. Mr. *R. Shaw.*] If I rightly understand you, according to your scheme, you might insi

nyone of these gentlemen, being an attaché, e to be sent to Paris or Vienna, or elsewhere? rtainly.

48. Mr. *Rylands.*] That is to say, when were introduced into the service, it would nd entirely on the directions of the head of department in what particular department of same grade they served?—Yes.

49. It might be the grade in the Foreign e, or the grade in the consular service, or grade in the diplomatic service?—Yes, and might be promoted or exchanged from one the other.

50. In reference to the present system, has attention ever been directed to the fact, that unior members of the service are frequently sferred from one post to another, and from part of the world to another?—Yes.

51. Have you ever seen any reason to ider that that frequent transference was ctionable?—No; I think it is good. I think a very bad thing for any diplomatist of any to remain too long at one post.

52. In saying "too long," would you con- r that to remain there only two years was too t a time?—I think it does not make much rence for a junior. I should say the more n he was transferred the better for him. It s him general knowledge of the relations of country abroad, and better than he could rwise obtain. I think that it would be a good thing in the upper classes for them to ain longer, but not too long. For instance, idea is, that the ambassador at Paris should ays change with the Government, and that er ambassadors should get their appointments not more than six years at a time, like govern- of colonies. They might be sent to another t, but they should not remain in one place too g a time; I think that if they do they get too h acclimatised and naturalised. As from ir position, they do not hope for promotion. e tendency of keeping ambassadors in one ce too long, is to make them consider them- es members of the society of the place where y are rather than the representatives of their n country. I am not referring to any par- ular person, but there is one peculiar instance that, which does not belong to this country, l which I may mention. When Baron Bunsen, cing the Crimean War, was taken away from ndon, the only reason assigned by the Prus- n Government for removing him was, that he l been so long away from his own country that was too much imbued with English views tead of the views of his own Government.

4253. You were proposing, I think, that the bassadors should change with the different vernments, but that the ministers should not? I should make a good deal of difference between ambassador at Paris and the ambassadors at e other four courts, because I look at the am- ssador at Paris as being as different from other bassadors as the Lord Chancellor is different m other judges, or as the Lord Lieutenant of eland is different from the governors of colo- es. I think that he ought to change with ery Government; I think that then he would ve a great deal of influence in France, and uld be, as the French say, *solidaire* with the overnment of the day. You might find some fficulty in doing that with the courts of Vienna d St. Petersburg, and Berlin; but then I ould limit the duration of the ambassadorial tenure to six years. I think that you might make some alteration of my rule at Constantinople, because Constantinople is a very exceptional place, and there, I think, an ambassador gains by being kept a long time. The great influence which Lord Stratford exercised there was owing to the fact that, besides his great ability, he did not change for a long time, and that the Turks felt that the Turkish ministries might change, but he never left.

4254. Does not that difference arise from the fact that Eastern diplomacy is a very different thing from diplomacy in Europe?—I think that it is very different with regard to its effect upon the people, but if you wish an opinion to the effect that Western diplomatists should not be made use of in the East, I should not go all the way with you there.

4255. I was not leading to that, but I want to know whether the action of an ambassador at the Porte, for instance, is not a very different thing from the action of an ambassador in an European court; his personal influence with the sovereign in Turkey becomes a matter of immense importance, and that personal influence will naturally be increased by the permanent residence of a man of great ability; that is what you are pointing to?—Yes, and also we must remember the enormous national jealousies that there are at Constantinople; there is a French, a Russian party, and an English party; and if the English party is presided over by an ambassador kept there a long time, and known to have the confidence of the successive administrations in England, I think that is for the advantage of the public service.

4256. Do not you think that, as a general rule, if ambassadors were men of great public mark, men who had gone through a great career at home, they would be likely to carry with them a much greater prestige than a man who might simply have risen, through the different ranks of diplomacy, from an attaché to an ambassador?—I think that the Secretary of State ought always to have the absolute power of appointing any person of that kind to an embassy without its being a grievance to the service. For instance, I think that the appointment of Mr. Layard the other day to Madrid was a very proper appointment, from the point of view of the present Government. I do not know whether it would be right for Mr. Layard to remain there, supposing this Government to leave office; but I think that appointments of that kind are advantageous if they are not made too frequently, and if they are done for the public service.

4257. I understand your scheme for the highest post in the service to be this: you recommend, that in regard to the ambassadors they should all be appointed at the will of the minister of the day, from outsiders, if he should so think fit?—I think so.

4258. That with regard to ministers plenipotentiary, that should be the recognised reward of men of the diplomatic profession?—Yes.

4259. And further that the ambassador at Paris should change with every change of Government at home, so as to be in perfect political accord with the Government here?—Yes.

4260. And that with regard to the ambassadors and ministers in other courts, except Constantinople, their tenure of service should be limited to some definite time?—I should say that that limit should only apply to ambassadors, because

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so long as a man was minister, and eligible to be an ambassador, I think that he would be more active than an ambassador who had reached the culminating point of his career, and hoped to remain at his place a long time. I should not fix the limit for ministers, but only for ambassadors.

4261. You would not consider that the fact that a man had arrived at the point of minister from the lowest rank of the diplomatic service, was any reason why he should not be appointed to an embassy by the Secretary of State if he seemed a suitable man to be so appointed?—No.

4262. That you would say that the Secreta of State should have the power of appointm as to the embassies, and should appoint men mark?—I think that a professional diplomat ought to have the preference so long as th really was no man of great mark to take embassy.

4263. You would not be able to tell exac the views that might influence the Foreign S cretary; he might have reasons for appointi an outsider to an embassy if he were a man great public ability and under your rule, would not be called upon to give his reasons doing so I presume?—No.

Thursday, 23rd June 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. W. Cartwright.
Mr. Eastwick.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.
Mr. F. Walpole.

ARTHUR JOHN OTWAY, Esq., in the Chair.

Mr. Robert Burnet David Morier, c.b., called in; and Examined.

Mr. *Morier*, C.B.

23 June 1870.

4264. *Chairman.*] You are a Secretary of gation in the Diplomatic Service?—Yes.

4265. And your post is at Darmstadt?—s.

4266. Will you be good enough to inform the mmittee how the other European countries represented at Darmstadt?—There are ench, Austrian, Prussian, Russian, and Bavan missions. All the heads of these missions, are voys extraordinary and ministers plenipotenry, with the exception of the Frenchman, who minister plenipotentiary, and the present Rusn, who is minister resident; till lately, the ussian was also envoy extraordinary.

4267. These missions have the ordinary staff a minister plenipotentiary, I presume?—Yes, ey have got secretaries. There is a French cretary, and a French chancelier, and a French ıaché. The others have only secretaries.

4268. Your diplomatic position and rank is erefore not equal to that of those others to nom you have just alluded?—Certainly not. am secretary of legation in the British diplotic service, but my recognised position there that of a chargé d'affaires. I am admitted and nsidered in the light of a chargé d'affaires.

4269. And, to use the phrase of a diplomatist milarly situated with yourself, you are, I think, our own staff?—I am my own staff.

4270. I presume, from these foreign legations eing on that footing, that it is considered by ıe countries whom they represent, that it is adisable to maintain at Darmstadt a diplomatic epresentation of that character?—Well, the naller the state the more it holds, naturally, to s international status, as evidenced by the preence of a diplomatic service.

4271. My question was directed more to the pinion of the states of France, Austria, Russia, nd Prussia; they consider it desirable to maiin a representation of that character there?—hey consider it desirable. You must remember, as regards Russia, that the Empress of Russia is sister to the Grand Duke. The French, n the other hand, consider all these small nissions in Germany of very great importance; nd necessarily Austria and Prussia would have he same feeling with regard to a state which is alf in and half out of the North German Confederation.

4272. The peculiar position of Darmstadt, to which you just alluded, renders it desirable in your opinion, does it not, that this country should also, as wishing to be informed of political events in Germany, have a representative there?—That depends upon the view which is taken of the diplomatic service. If it is considered important that Her Majesty's Government should have correct information and full data upon which to come to a judgment upon the events that are taking place in Europe, and in the case of Germany to be enabled to estimate accurately the political development there going on, a state so exceptionally situated as Darmstadt, which is half in the North German Confederation and half out of it, is peculiarly fitted for noting the facts leading to the future reconstruction of Germany, which is admitted by all to be at present in a provisional state. If the functions of diplomacy are purely those of treating matters which immediately concern Great Britain, I cannot say that the post of Darmstadt is one of importance. It certainly is one of importance as regards watching the events which are going on in connection with the reconstruction of Germany, and as such I believe it is a post from which good information can be obtained.

4273. What is your salary at Darmstadt?—£. 700 a year.

4274. And you have no allowance for secretary, clerk, or any other assistant?—No.

4275. You alluded just now to an alliance between the Grand Ducal family of Darmstadt and the Imperial family of Russia; the Royal family of England is also immediately allied with the Grand Ducal family, is it not?—The eldest son of the heir presumptive is married to a British Princess, namely, the second daughter of the Queen.

4276. There is a notion on the part of some gentlemen that Darmstadt is a place where a diplomatist would find it very difficult to employ his time; will you give us an idea, from your own experience, by stating the work that may have devolved on you to do; how you have employed your time while you have been there?—I have no doubt the Committee is aware that of late years information of a very varied kind has been asked for, I believe principally by Members of the House of Commons. During the three years

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that I have been employed at Darmstadt, I have had to draw up a report upon the co-operative institutions of Germany, and a second report upon land tenure; and I have at this moment received instructions to write a report upon the industrial status of the working classes in what is a great manufacturing centre of Germany. This work is quite independent of the work of reporting upon political subjects, and the work connected with British subjects, which is exceedingly variable; sometimes there is a great deal of it, and sometimes there is very little. Every one of these reports has imposed upon me hard labour for a considerable number of months. The report which I have to make now, and which I am desired to have ready by the 1st of December, will probably take up some five or six hours of my time daily, from the time that I return to Darmstadt till that date, if I am to do the work as it ought to be done, for it is but natural that a fuller and a more business-like report should be required from a post in which there is comparatively little to do, than from a post where the secretary of legation has a great deal to do; I know that with regard to my report upon land tenure, it gave me three or four months of the very hardest work that I ever had in my life.

4277. Your report referred only to the land tenure in the Grand Duchy, I suppose?—It referred to the land tenure in the Grand Duchy of Hesse, but as the Grand Duchy of Hesse is made up of a number of different portions of Germany, each with a different political and social history of its own, it was necessary, in order to understand the A.B.C. of the subject, to go through the whole question of mediæval tenures, and the laws affecting land throughout Germany; it was quite impossible to get to the slightest idea of it without doing that.

4278. You have, I think, made the affairs of Germany for a long time your study?—My whole career has been spent in Germany; I have been 17 years in Germany.

4279. There has been much inquiry here as to the cause of what is termed the block in the diplomatic service; will you give us the advantage of your opinions on the cause of that block, and any suggestions that may occur to you by which promotion may be augmented, or the impediment to promotion removed?—My own impression of the block is, that it is the result of the alterations made in the diplomatic service consequent upon the recommendations of the Committee which sat in 1861. Certainly up to that time the diplomatic service was not considered absolutely as a profession. Men entered it as unpaid attachés with a very vague sort of prospect, and they did not become covenanted servants of the State, they did not acquire a distinct claim upon the State, until they obtained their commissions as secretaries. Undoubtedly, at that time, though the advancement by seniority had been gradually creeping into the service, it was not by any means recognised as the law or the rule of the service. Men were promoted then very much more according to merit than they are at present, consequently, though many individuals under the old system might have had reason to groan at their want of promotion, that feeling was not general in the whole service as it is at present; because though there might be some individuals who remained a long time without getting promotion, there were others who comparatively soon got to the higher posts. Now, undoubtedly the block is partly caused by the number of missions that have been superseded and done away with; but this universal feeling, this feeling of absolute, total, and complete hopelessness, which every junior member of the service has, did not in those days exist, and therefore I think that, in considering the causes of the block, we must look to this radical change more or less imposed by the recommendations of the Committee of 1861 as the principal cause.

4280. Are you able to suggest any mode by which, setting aside for the moment the consideration of those recommendations of the Committee, that block can be diminished or removed?—There are two ways of looking at the thing. There is the complete reconstruction of the diplomatic service upon a different basis; and there are the momentary palliatives which might be used. There are many different ways by which you can remove the momentary block. You can bribe a certain number of men out of the service; you can give them openings elsewhere; but the desideratum is to retain the good men, and to get rid of the bad men; and that is a very difficult thing to do.

4281. Do you think that a system of gratuity based on the calculation of the salary received by the junior members of the diplomatic service would induce many members to leave it?—The objection to that seems to me, that it might induce the good men to go and keep the bad men in. A man who obtains a gratuity and has got a status in the service is a man very likely to get employment elsewhere.

4282. But that objection would cease if the Secretary of State exercised his discretion in offering such a gratuity to individuals, would it not?—Yes, perfectly. Then you come back to what I believe to be the only possible system in so small a service as the diplomatic that is promotion wholly, solely, and entirely by the fitness of the man for the place.

4283. You would not attach any importance to the impression that might prevail of the action of political pressure on and favouritism on the part of the Secretary of State?—Absolutely none; I look upon that as being as completely dead and gone as rotten boroughs.

4284. Mr. *F. Walpole.*] But they are not all gone?—As dead and gone as those that are gone. I have had a good many opportunities of watching the action of the Foreign Office during the last 17 years, and I do not believe that any Foreign Secretary of State would at the present day act upon any other motive than that of the good of the public service; that is my full, complete, and entire conviction.

4285. *Chairman.*] Supposing that you had a Secretary of State so lost to the sense of the responsibility of his position as to promote men from mere favouritism, would there not be a very tremendous check upon that in the knowledge that is possessed by men in the Foreign Office, and by those in the diplomatic profession of the merits of each man?—If the House of Commons should stand having a minister so completely lost to all sense of public duty, they are responsible for it. I cannot see any way in which a service like the diplomatic can be worked, except by heaping up responsibility upon the shoulders of your Foreign Secretary. The moment that you make him completely responsible, as a mere matter of self preservation, he must look out for the best men. He cannot bear all the weigh

ight upon his back unless he has good men
ler him to help him. It is the condition of all
d service to make a man responsible for his
rk, to break his neck if he does not do it well;
l if he does do it well, to let him have all honour.
1286. Does it appear to you that, to a certain
tent, the Secretary of State becomes absolved
m his responsibility if he has to follow a
utine of seniority?—Completely and entirely;
l that is why I believe that all these well-
ant reforms are in the wrong direction. I do
t pretend to know anything about any other
vice than my own; but where you have got
establishment consisting of, as far as I know,
y 122 individuals, it does not seem to me to be
ing too much to require that the man who has
t to work this complicated machine should know
e merits of those 122 servants whom he has
der him.

4287. Is it conceivable that, with the oppor-
nities enjoyed by those in the Foreign Office
knowing the work and capacity of almost
ery individual in the diplomatic service who
rresponds with the Foreign Office, they should
t be able to form a very generally correct
timate of the capacity of most of its members?
I am perfectly convinced that the Foreign
ffice knows the value of every one of us.

4288. I presume that at Darmstadt, if the
odest English representation which already
ists there, which I understand costs the country
0*l.* a year, were withdrawn, irrespective al-
gether of the gentleman who might be chargé
affaires or might fill the position that you fill
ere, it would be felt by the Grand Ducal
ourt as a slur upon their position?—Certainly;
would be considered a very marked act of dis-
urtesy, and under the peculiar circumstances
the family relations between the two courts it
ould be difficult to make them exactly under-
and why it was done.

4289. There are, I think, also several English
sidents, and a great many travellers passing
rough?—I think that there are about 80 or 90
nglish residents at Darmstadt, at least the con-
regation consists of about 80 heads; there may
e many more, but, if I remember right, 80 is
out the official list of the congregation.

4290. They recur to the advice of the English
epresentative every now and then, do they not,
nd seek his assistance?—I cannot say that the
tual residents in Darmstadt do; I have had a
w cases there of people coming who were
aving troops quartered upon them, and things
f that sort; but I am constantly having persons
assing through and persons belonging to the
wer orders, workmen, and persons of that sort,
oming for advice; because, since the change at
rankfort, Darmstadt is the only diplomatic
entre in that part of the world.

4291. Where is the nearest diplomatic repre-
ntative to you?—Stuttgardt would be the
earest point.

4292. Mr. *W. Cartwright.*] Is there any re-
resentative at Frankfort?—There is a consul at
rankfort.

4293. *Chairman.*] He is unpaid?—Yes, un-
aid; it costs him, I believe, some 200*l.* or 300*l.*
year.

4294. Mr. *W. Cartwright.*] It is an honorary
osition, I suppose?—He has very hard work.

4295. Mr. *Rylands.*] What becomes of the
es; he receives them, I suppose?—Yes, he
eceives the fees, but they do not cover anything

like his expenditure; I believe that they cover his stationery. I have entered into an arrangement with him so far, that whenever he is away I take all his notarial work; and people then come from Frankfort to Darmstadt, and there is a good deal in the way of affidavits, and so on, to attend to; and when I am away he takes my work.

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4296. *Chairman.*] The cost of living at Darmstadt has very much increased of late years, has it not?—Very much; I find that there are one or two items that are cheaper, but the items of everyday life, food, provisions, servants' wages, fuel and the like, I find are quite the same at Berlin, Vienna, and Darmstadt; carriage hire and house rent are cheaper; those are the only two items that are cheaper.

4297. Viscount *Barrington.*] The cost of provisions is the same as at the other places you have mentioned?—The cost of provisions is, I find, curiously equal in almost every part of Europe. I mean that taking the cost of provisions per head for a certain number of weeks, I found that it came within a few pounds to the same in Vienna, Berlin, and Darmstadt. This complete equality is curious as an economical fact.

4298. You allude to places that are centres in Europe, of course?—Yes.

4299. *Chairman.*] You were sent, I think, to assist in negotiating the commercial treaty with Austria?—I was named on the International Enquête Commission in the spring of 1865. When that commission came to an untimely end, I was sent, in conjunction with Mr. Mallet, now Sir Louis Mallet, to assist Lord Bloomfield in the negotiation of the treaty which was signed in December 1865; and I was then named commissioner under the treaty for the construction of an Austrian tariff, and I attended that commission in 1866, in 1867, and in 1868.

4300. Part of the time you filled the post that you now occupy?—Part of the time I was second secretary at Berlin, and part of the time I was what I am now at Darmstadt.

4301. How long were you absent from Darmstadt?—In 1866, I think, I must have been absent about three months, and in 1867, I was absent most of the summer. Without referring I could not tell you exactly how long I was absent.

4302. Still it was a little more than the usual period that is granted to a member of the diplomatic body for his leave of absence?—Very much.

4303. During each year?—Certainly, both in 1865, and in 1866, and in 1867.

4304. But I thought I understood you to say that you were three months absent in 1865?—In 1865 I was absent more than that; but in 1865 I was still second secretary at Berlin, and part of the time I was secretary of legation at Athens.

4305. The treaty, ratifications of which were exchanged a few months ago when Parliament met, is based on that convention, is it not?—That was the treaty that was concluded in 1868, but which was not put in force by the Austrian Government, because other difficulties arose. The treaty of 1865 instituted an international commission, which was to draw up a tariff, and on the elaboration of this tariff we were occupied during 1866, 1867, and 1868, and then difficulties came in with regard to the execution of the treaty,

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which were only finally settled a few months ago, but the work was finished in 1868.

4306. Viscount *Barrington.*] Did I rightly understand that the principal suggestion that you had for relieving the block in the service, was giving a gratuity to certain members to induce them to leave it?—I did not wish to suggest any specific means because I do not pretend to see my way to this object. I suppose you must do something if you want to get people out of a service who have entered it upon a distinct pledge; because that was, I think, the harm which was done in 1861, that a number of men by the prospect of a certain, though small salary at the end of a definite time, were induced to enter into a profession in which they believed they would rise by seniority. All these men have a distinct belief that they stand *vis-à-vis*, of the State in the position of having a contract, that a contract has been entered into with them. That, I think, is the mischief that that has had done. Of course, a man that has got a good contract sticks to his contract, and how you are to get them out I do not pretend to have the least idea. What I fear is, that any system of the sort proposed will get the good men out, and leave the bad men in.

4307. Have you ever considered the possibility of amalgamating the diplomatic and consular services in any kind of way?—You mean so as to increase the general amount of salaried places. My feeling about the amalgamation of those two services is this: I believe that there are a certain number of appointments which have the name of consular, but which are really political appointments; and there are a great many other appointments which are purely and entirely mercantile. I have a strong feeling that the appointments which are in their nature political, should be amalgamated wholly with the diplomatic service, that is to say, that no man should have an appointment of that sort who had not had the training which can only be obtained in diplomacy. As far as that goes, I should be entirely for amalgamating the political consulships with the diplomatic service. I feel very strongly upon that subject, because I think that it is a mistake to reward a man for, however good service in one line, by giving him a post in another line which he is totally unacquainted with. I would not reward a lieutenant of artillery by making him post captain in the navy; they are two distinct things.

4308. Would you mention the consular posts which you allude to?—There is Bucharest; that of course is a political post. Egypt again, Warsaw, and Tunis. I mean simply that every post which is in its nature a political post, should be filled by a political agent, and by a political agent should be a man who has had his training in the diplomatic service.

4309. And do you think that would cause any very great jealousy on the part of the present occupants of consular posts?—I do not know; I daresay it would. But I think that the public service is the thing to be looked at; I think that we ought all of us to go into the service with the view that we shall be used where we are most wanted, and that we shall not be used where we are not wanted. It seems to me that the public service ought to be the criterion for all questions of that kind.

4310. What is your opinion with regard to the changes that ought to take place in diplomatic posts. Beginning with the juniors, it was recommended by the Committee of 1861 that juniors should not remain more than two years at a post; would that meet your views?—I am afraid that I should not agree with that; I mean that I should disagree with anything like any very absolute rule. I think that the international knowledge required for diplomatic purposes is so different in kind and degree that it is impossible to apply a rule. I think it important that we should have a certain number of men in the service who have a thorough, complete, and entire knowledge of the different countries in Europe. Now, two years will give that knowledge about some countries, or even less than that will do it; with regard to others, two years is just enough to give a man the A.B.C. Take Russia; do you suppose that a man in two years can have a real knowledge of Russia? I do not know the actual working of the system; I know nothing of what has been done by the Foreign Office, but I should very much doubt whether they had kept to a very strict rule. What I have found occasionally has been, that when a man was just getting to know his work, and to be exceedingly useful, he was removed. I have been in charge of two first-class chanceries, and it certainly has happened to me, on more than one occasion, that a man was just getting fit for his work when he was sent off to the other end of the world.

4311. With regard to the chiefs of missions, do you think that the same rule ought to apply to them?—I think that the fewer rules you make the better. I go back to my notion of the absolute responsibility of a Foreign Minister, leaving him perfectly free to use his tools how he pleases and to use what tools he pleases, and making him responsible; if the thing does not go right, make him suffer for it, and if it goes right, then heap every kind of honour that you can upon his head.

4312. Mr. *A. Russell.*] It was suggested by Sir Henry Wolff on Monday that the ambassador at Paris ought to change with the Government, that the ambassador at Constantinople ought to hold his office permanently till he is superannuated, and that the ambassadors at other posts ought to hold their appointments only for six years; do you think that rules of that kind can be enforced with any advantage?—I should wholly dissent from them.

4313. Viscount *Barrington.*] If any rule of that sort were made absolute, so as to involve having changes at the principal missions with every change of Government, it would entail a very large expense upon the country in the way of outfit, would it not?—Certainly.

4314. What do you think about exchanges taking place between the Foreign Office and the juniors in missions?—I have a very strong feeling upon that subject; I do not believe that it is shared by persons in the Foreign Office, and therefore I wish to speak with very great diffidence on the subject. I wish to say, first, that I have never served in the Foreign Office, and that therefore I cannot judge of that question in the least from the point of view of a person cognisant with the work of the Foreign Office; but I have myself a very strong feeling that as regards the efficiency of the diplomatic agents, I mean with regard to the sort of sense of responsibility under which they do their work, it would be of incalculable service to have men

ien in the Foreign Office who had personal experience of the diplomatic service. Instead of aving the exchange voluntary, I should wish o see it obligatory. I should wish, for instance, his kind of thing, that the head of the French Department in the Foreign Office should at ome period of his career have served in France, nd if possible as first secretary of embassy at aris; similarly I should wish the head of the erman Department to have served at least a year s secretary of embassy and chargé d'affaires at erlin and Vienna, and so on. I say this, beause it makes the whole difference in the sort of terest that one has in one's work, and in the ower of really doing good work, whether you e writing to persons who are personally acainted with the subject upon which you write them. I will take such an instance as Japan. daresay you have read Mr. Mitford's papers the "Fortnightly." It would make the whole ifference to you if you happened to be minister Japan, if you had such a man as that at the ead of the Oriental Department, and if you rote to him under the sense that he could enter nto everything that you were saying. That ould give you the power of imparting informaon which it is wholly out of your power to do hen you are writing to people who, however ntelligent, are without that sort of knowledge of ne concrete facts which would enable them to nderstand the attempts that you may make to ive a more real knowledge of the facts which ou are describing.

4315. *Chairman.*] All correspondence in the oreign Office proceeds from the Secretary of tate, does it not?—I do not know anything of he working of the Foreign Office.

4316. Supposing it does proceed from the ecretary of State, in what position would you ut these gentlemen, as counsellors to the Secreary of State?—I am not making any suggesions for the reform of the Foreign Office, beause I am unacquainted with the Foreign ffice; but I can best illustrate what I wish say by saying that I should like to have s part of the system of the Foreign Office what as been the case practically ever since Lord larendon has been Foreign Minister. Lord larendon has been himself employed abroad, nd has an exceptional knowledge of everything onnected with foreign persons, and not only oreign politics, but all those numerous questions hat are now interesting the English public. I hink that every person who has served in diplonacy during the last 15 years will say the same hing that I do, which is that no attaché, however bscure, could write a memorandum on any subect connected with either political or social uestions, or any question of general interest which would not be submitted to the most ccurate criticism by the Foreign Secretary imself. I can say of myself that the first thing which gave me a keen interest in the diplomatic rofession was the criticism made by Lord Clarendon upon a report of mine when I was an npaid attaché at Vienna. At the present time very diplomatic agent knows that he will have a perfect master in the art of criticism, judging he work that he sends home. That is the case ith Lord Clarendon; but there is of course lways a possibility of a person filling the post of Foreign Secretary who does not possess this exceptional and extraordinary knowledge; and what I should like to see in the Foreign Office would be that there should be a certain body of men who had that interest and that knowledge, and who could sit as critics of the work that we do. It is a great check upon a man who is not a conscientious reporter, and who likes to indulge in fine writing to know that the man who reads is thoroughly and completely conversant with the facts about which he writes; and on the other hand it is a great advantage to a man who is conscientious, and who is really trying to do good work, to know that his work will be understood and appreciated.

4317. But how would you find the vacancies for these gentlemen in the Foreign Office?—That is a question which I am not in any kind of way prepared to answer, because I know absolutely nothing of the Foreign Office; but it seems to me that if there were a desire to do the thing, the thing could be easily done. The moment you make these changes compulsory, you get over the difficulty. If you force a man after, say, five years of his career abroad, to spend one year in the Foreign Office, he grows up knowing the work of the Foreign Office; and there is no sort of reason why the secretary of embassy at Paris should not exchange for a year with the head of the French Department in the Foreign Office.

4318. But supposing that the circumstances of the head of the French Department did not allow him to go and live in Paris?—Then you must pay him. If the thing is desirable and good for the foreign service, I cannot see that the question of a few hundred pounds a year would come in at all.

4319. Still is it not the fact that gentlemen enter the Foreign Office very often with very different views from those who enter the diplomatic service; I mean in different pecuniary circumstances altogether; and would it not be rather hard for you to compel a man who had entered an office in London prepared there to spend his life to go *nolens volens* and exchange with diplomatists, and enter on quite a different career?—That is a question of administrative detail, which I am not competent to answer. I was asked whether the thing was in itself desirable; I say the thing is to my mind not only desirable, but seems to me a most important change to make; I think that it is most important that we should be to a certain extent nationalised, and that the Foreign Office should be to a certain extent internationalised.

4320. Mr. *Rylands.*] I think I understood you to say in regard to the plan you have been suggesting, that it had reference more particularly to the desirableness in your opinion of the senior clerks attached to the different departments of European and foreign diplomacy being, if possible, men who had a practical experience in that part of the world to which they are attached in the Foreign Office arrangements?—That is the way I put it.

4321. And it is your impression, I presume, that the business of the different departments goes through those senior clerks, and goes up to the Foreign Secretary; and your views would be met if the senior clerks had that practical knowledge, although it might not be the case that the Foreign Secretary could have a general knowledge of the department?—I have never worked in the Foreign Office, and therefore I have not the slightest idea of the way in which the work is carried on there. I do not know

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know how far the work is done by the senior clerk, how far by the under secretary, or how far by the Secretary of State. I believe, from a perfectly general knowledge, that the Foreign Secretary in England does infinitely more work than any foreign secretary in any other country in the world. I mean, there is more actually depending upon him in this service than depends on the foreign secretary in any other service; but I want to have that sort of interest, and that sort of knowledge, in some portion of the Foreign Office. There are exceedingly able men in the Foreign Office; everybody who has had to deal with them knows that there are exceedingly able men there. But everybody must feel that it is a perfectly different thing to have a sort of abstract knowledge of foreign matters, from what it is to have a practical knowledge of them; just as the sort of idea which a painter would have from a lay figure is different from that which he has after studying from the living figure. I refer to that sort of knowledge of the political men and the political institutions of other countries, with regard to which I should have thought that it would be conferring a very great boon upon those men in the Foreign Office who really take a great interest in their work, to give them the chance of becoming practically acquainted with the things they have to deal with all their lives.

4322. *Chairman.*] Have you considered the practical working of this scheme at all that you have been suggesting?—I have not considered it in its technical details, because I have not the data to study it in that light. I only think that in itself it is an exceedingly desirable thing, and that with the enormous amount of every kind of work that is being given to us to do now, there should be a corresponding personal knowledge in the Foreign Office to control that work.

4323. It would be a great innovation, would it not, to require the head of a department of the Foreign Office, looking to the position and circumstances, generally speaking, of the head of a department, that he is a married man established in London with a house and family, suddenly to change with the secretary of legation, say, at Brazil, or elsewhere?—A most undoubted change; I was not thinking of his personal comfort.

4324. Mr. *W. Lowther.*] Would you have these gentlemen go to these foreign posts when they were heads of departments, or before they became heads of departments?—I have not elaborated the thing; I have thought of an amalgamation between the two, but I could not pretend to have a scheme prepared. All that I meant to say was that I thought it was desirable that that interchange should take place, and that it should take place in such a way that a man should not be made head of a department unless he had a considerable personal knowledge of the countries constituting his department.

4325. Viscount *Barrington.*] I suppose you might fairly consider Lord Clarendon's position, having previously served in a diplomatic career a great many years, as a fair corroboration of your view?—I think very much so indeed; I am speaking not only from my own personal experience, but from that of the greater number of the members of the diplomatic service. The whole of that unmistakeable zeal which anybody may see who takes the trouble of reading these Blue Book Reports, comes from the sort of personal interest taken by Lord Clarendon in this more or less external work of diplomacy; I mean from that kind of careful criticism which he gives to everybody's work. As I have said, the most obscure unpaid attaché is perfectly certain that any piece of work of that sort would be appreciated not by a blind criticism, but by a criticism which is perfectly aware of what it is about; and that I think is the desirable relation to exist between the Foreign Office and its diplomatic agents.

4326. Mr. *W. Cartwright.*] I suppose you think that such a change would put the Foreign Office into more intelligent sympathy with what is going on abroad?—Certainly so, and would make it thoroughly acquainted with the diplomatic servants.

4327. Is there any such amalgamation in foreign services between those who serve in the department and those who serve abroad?—In the only two cases I know anything about, which are those of France and Prussia, there are certainly more men in the Foreign Office who have served abroad than with us.

4328. Viscount *Barrington.*] To turn to another subject, I suppose that entertaining as you do the highest possible view of the responsibility of the Foreign Secretary in this country, you would, notwithstanding the fact of the diplomatic service now being looked upon entirely as a profession, not object to the appointment occasionally of what are called outsiders to the higher posts?—That of course involves the whole system of appointment in the diplomatic service, and of promotion when there, which is a very large subject. What seems to me to be the difficulty is this: The diplomatic service is not numerically sufficiently large to be treated as a profession. There are 122 persons in the diplomatic service, at least that is about the number; and if I remember right there are, out of that number of 122, something like 64 persons who are either heads of missions or first secretaries of legation, that is to say, persons who at any moment may have the full international responsibility of such a state as Great Britain put upon their shoulders. In a profession like that of the army, where you have got to deal with a great many thousand persons, and out of these thousands of persons only a comparatively small per-centage are persons who perform the higher functions and fill the more responsible posts, you can establish a rule and system; but with 122 persons, 64 of whom are, so to speak, field marshals, you cannot do it, and therefore you have got this difficulty, that you cannot, in my opinion, treat diplomacy as a profession in the same way as you can treat other branches of the public service. On the other hand, there is no branch of the public service which requires a more thorough professional knowledge than diplomacy; there is no branch of the service which requires such careful preparation and such long training; and what you have to do is to find some means or other (I do not pretend to solve the problem) by which these two difficulties can be reconciled. My own idea (it is a very crude notion) would be that, if I were starting perfectly clear, if I had to do the thing myself, I would have an upper class not necessarily professional, a middle class absolutely professional, and a third class wholly unprofessional. The sort of thing that I think could be established would be this: you have got your

ur envoys, who have to do the actual negocia-
n between Great Britain and other countries;
u have your secretaries, whose principal func-
n is that of collecting and imparting informa-
n to the Government; and then you require
v material out of which you can select your
cretaries. I should propose going back to the
l system of unpaid attachés. I should give
absolutely unlimited power to the Foreign
cretary to appoint as many unpaid attachés as
wished; and I should require no sort or kind
examination for the purpose of being named
paid attaché. The advantage which a man ob-
ned by being unpaid attaché would be that he
uld be allowed to present himself for examina-
n, not for a competitive examination, but for a
t examination. But instead of having what we
ve had hitherto, which seems to me the great
stake of the system, a minimum test examina-
n, I would have a maximum test examination;
at is to say, I would have an examination of
e very highest possible kind, so that a man
o had passed that examination should be, as
ted by that examination, up to the very
ghest class of work that could be given to him;
d this class of persons should receive sufficient
y to make such a post in itself desirable;
at is to say, the remuneration should be
fficiently high to make it worth a man's
ile to go in for this, irrespectively of anything
e; and that could be very easily done, be-
use the moment you fix such a standard as that,
u are certain to have only a limited number
men capable of passing such an examination;
d, in the second place, they are perfectly
rth the money. These men should know that
distinguishing themselves and acting up to
e standard we had proved by their examination
ey had attained, they would, more or less, as a
atter of course, become envoys. The higher
issions should be open to this class of men,
rfectly irrespective of the time that they had
rved; that is to say, it should be wholly a
rvice by merit. If you once had that system
ere would be then no sort of difficulty in ap-
inting outsiders into the higher service. The
justice of appointing outsiders at present is,
at you have made the profession a seniority
rvice, and therefore, having made it a seniority
rvice, we get to this disagreeable position
r all of us, that when we have worked up
within one or two of this goal which we
ve before us, namely, a mission, then an out-
der is suddenly taken and put in in front of us,
the plea that he is the best man. Supposing
at the fifth or sixth man on the list is the very
st man in the world, he cannot be put there,
cause it would be going against the seniority of
e service, but somebody else, an outsider, is
t there. The injustice consists wholly and en-
rely in combining outsiders with the seniority
stem. I am strongly of opinion (it comes from
y original principle that the Foreign Secretary
ould be made responsible, and that he should
ot be limited in his choice), that the moment
u get rid of the seniority system, there is no
rt of reason why a man, if he is specially fitted
r a post, should not be appointed to it, even if
e is an outsider.

4329. I understand that you would do away
ith the first examination entirely, and that you
ould make the second a test examination, but
ring it up to a maximum instead of having it a
inimum?—Yes.

4330. That is rather the view of Sir Henry Elliot?—I was not aware that he took that view.

4331. Do you think that the present system of examination is a satisfactory one?—I think it is unsatisfactory, because I think it is a very small and poor kind of examination, and yet it is big enough to make a man who has passed it think that he has an absolute claim on the public service for ever.

4332. How do you feel in regard to the junior members of the service being up in conversation in French and German?—There is a very considerable difference in that respect; there is not the least doubt that a great number of them have a very fair knowledge indeed of the languages which are required of them; certainly I should say the majority of them have a very fair knowledge. I do not think they have much knowledge of writing French, and I think that writing French is a thing that ought to be very differently developed from what it is at present.

4333. You have not found any considerable difference within the last few years with regard to, say, the writing of French and conversation in French?—The system of examinations began very shortly after I went into the service, and therefore I can hardly tell what difference it has made.

4334. You are not aware that there has been any change made in regard to that part of the examination?—I am unable to answer that question.

4335. Now I should like to ask your opinion about the appointment of clerks in the different missions; do you think that they would carry out the duties that are now fulfilled by attachés and secretaries in an equally good way?—Do you mean chanceliers?

4336. Yes, chanceliers, or men in a different class of life from the present set of gentlemen in Her Majesty's diplomatic service?—If you mean, as a substitute for the service of attachés and secretaries, to have copying clerks for the general work of the service, I should certainly be excessively averse to that.

4337. What would be your reasons for objecting to them?—I think that one cannot sufficiently bear in mind that the vital principle of international intercourse is confidence. What credit is to commerce confidence is to international intercourse; and there is nothing in the world so delicate as either credit or confidence of that sort; and if you come to examine either the one or the other, I think you will find that it resolves itself into the kind of opinion which one person forms of another person. If I have to accept a bill at six months, I look at the name of the firm; it is very difficult to analyse the process further than that. The sort of feeling and belief that I have in regard to that firm, is made up of all sorts of traditions and impressions which it would be impossible to analyse; it is the sort of belief that I have in a particular name. If you examine this process as regards inter-national intercourse, when a man like Prince Gortchakoff or Ali Pachi confides a secret, an important State secret, to Her Majesty's ambassador at St. Petersburg, or at Constantinople, what he has in his mind is an unconscious judgment which he has come to with regard to, not Lord Clarendon, or Lord Granville, or Lord Aberdeen, personally, but with regard to the firm, so to speak, which is represented by the British

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Foreign Office. He knows when he confides that secret, that within a few hours a certain number of attachés and secretaries will know all about it, and that within a few days a certain number of persons in the Foreign Office will know all about it. His confidence is based upon the idea that the foreign minister under whom all these persons are serving is personally responsible for the sacredness with which that secret will be treated; and I do not think that you can afford to diminish this confidence, because, as I say, it is the soul of international intercourse.

4338. Without wishing in the least to cast any slur upon the characters of gentlemen who might be in the position of copying clerks, I suppose you would consider that it is almost the duty of an attaché in the diplomatic service to go a great deal into foreign society, and that being the case, a good deal of information is picked up in that way. It is not likely, I suppose, that a gentleman in the position of a copying clerk would be admitted into foreign society in the same way as a present attaché or secretary in Her Majesty's service? — If the substitutes for attachés and secretaries are to be an entirely different class of persons, you cannot use a copying clerk in the same way that you use an attaché or a secretary.

4339. In fact, you do not think that it would be to the advantage of the service that any change like that should take place?—I think it would be the very worst thing in the world that could possibly happen.

4340. Mr. *W. Cartwright.*] There is a good deal of routine work to be done in the missions, is there not, that might be perhaps taken away from the secretaries and attachés and given to such clerks?—I did not quite understand that that was meant. If you supplement your trained diplomatists by persons like chanceliers, then I think that a good deal of strain of that kind would be taken off, but in the system I advocate I would have a large number of unpaid attachés to do that kind of work. I think you cannot possibly bring too much unpaid labour into your service; I have a very strong feeling about that, quite irrespectively of whether the men continue afterwards in the service or not. I think that the more of the class of people described by Mr. Gladstone, as people who have money and nothing else, that you can adscript to the public service the better. I think it is an enormous advantage to those persons themselves. I think that it is just that class which requires to be de-parochialised and to be imperialised, and you cannot do that better than by making them serve as unpaid servants of the Crown. If the object is to save labour, then chanceliers can do all the kind of work which is not confidential. That is the case in the French service; every French legation has a chancelier, who takes all the current work, and does the copying of commercial enclosures and despatches of that sort.

4341. Viscount *Barrington.*] He is not entrusted with any confidential work?—As a rule, not; it depends upon the individual, but, as a rule, not.

4342. He has access to the archives, I suppose?—No.

4343. Viscount *Sandon.*] With regard to these reports that are sent in from the chiefs of missions, Lord Clarendon informed us that the Land Tenure Report only cost the country, I think, about 180*l.*; might I ask whether any cost is entailed upon the gentlemen who draw up these reports?—That takes us into a delicate subject, that of the cost entailed upon Her Majesty's diplomatic servants, by inquiries and search for information, which cannot be paid for in ready money. I do not know what the cost of those reports may have been; I have not sent in a charge, but I think that as regards the actual cost which I could have charged the Foreign Office for my researches, it would certainly not have been above 4*l.* or 5*l.*; but it is perfectly plain that in a thing of that sort, where you have to put people to great inconvenience, and get them to do a maximum of work, you must in some way or other acknowledge that. It is not a peculiarity of the diplomatic service; I believe in all social intercourse, if you are asking a man to give up four or five hours a day to explain things to you, you will try, in some sort of manner, to give an acknowledgment for that. Of course, in these matters, it takes the form of expenditure undergone by Her Majesty's diplomatic agents, and comes out of their pockets. For instance, if a man spends his whole day in showing you over his farm, and draws up a long account of income and expenditure, and things of that sort, which will give him an immense deal of trouble, the natural thing to do is to ask him to dine with you, and if you ask him to dine with you, you ask a number of people to meet him whom it may be interesting to him to meet. I am merely just giving that as an instance. But it would be excessively hard to describe that sort of thing as bribery or corruption; it is the sort of coin in which I believe a great deal of the world's business is paid for. I think that if you were to add up expenses of that kind, you would find that those reports upon land tenure have cost a great deal more than the 180*l.*, though they may only have cost the country 180*l.* You must remember, too, that foreign governments have a great advantage over us; they have orders to give away. First of all, there is very much less of inquiry by foreign governments than by us, but whenever there is this kind of inquiry, it is invariably paid for by an order; that is the received coin. We have got no orders to give away, and there is not the least doubt that there is a great deal that we have to do by social courtesy which other people do very much cheaper by means of orders. I may give an instance: during the Crimean war there was a physician at Vienna who, I knew, had exceptional information with regard to the Principalities, that was of great importance; he had been there for several months, drawing up a report for the Austrian Government. I knew of this, and I at once informed Her Majesty's Government that there was this man with this special information, and they instantly sent out two army surgeons of great eminence, who spent three days sucking this man's brain, and then went off to Bucharest. There was not the slightest kind of official notice taken of this man's giving up three very valuable days; three days of his practice. He was a little hurt at not getting any kind of official acknowledgment sent to him, but this was smoothed over by little attentions of the kind which I have mentioned.

4344. We have none of us any doubt whatever as to the amount of labour entailed on the various gentlemen connected with the missions by these reports; I wanted to elicit whether, in addition to this extra labour, there was not a very considerable

nsiderable incidental expense entailed upon the ntlemen who draw up the Papers, and that I ther is the case?—Yes.

4345. Expense that cannot be detailed to the reign Office, but still that does add to the pense of daily life?—As regards any incidental penditure the Foreign Office are exceedingly nerous; they treat us as gentlemen. I have ver found the slightest hitch in that kind of ay; if I say my expenses have been so-and-so, ere is an end of it. But there is incidental ex- nse of this sort very often of a very costly nd, which cannot be charged to the public.

4346. You thoroughly approve of this modern stem of reports?—Yes, I think it is of enor- ous advantage as an education for the diplo- atic service on the one hand, and I think it is of e greatest possible importance that we should, a nation, get to know something of what is ne outside Great Britain.

4347. Might I ask you, from your large ex- rience had, over and above attending to such ports, you think a young diplomatist would e of most service to the country; by what cupation of his time would a young diplomatist st serve his own country abroad?—I under- and the question to be, what would be the st use of a young diplomatist's time abroad. Well, the actual amount of knowledge which a plomatist has to master before he can fit himself r the work is so great, because the peculiar ature of the day is the way in which political uestions, and social questions, and religious uestions, and scientific questions, are all dove- iled the one into the other, that the time of a an who really wishes to fit himself for his ork is more than filled. According to the heme that I laid down just now, I should pre- uppose a special diplomatic education of a very ifferent kind from any that has been thought f as yet, and that would take up a man's whole me for several years of his life. To tell you ne honest truth, I think that there is uncommonly ttle spare time at present.

4348. That is just what I want to get at; me gentlemen are of opinion that the public rvice would be best advanced by having fixed ours for office attendance, and by reducing the umber of younger members of the mission to uch an extent that they would be largely ccupied by copying despatches; I wish to now whether you think that the best training f a young diplomatist, or whether he would ot be serving his country better by mixing rgely in all classes of society, by studying the olloquial language of the country, and by ravelling over the country in which he is laced?—I think that the more you can di- inish his mere mechanical work, and the more ou can give him of the higher class of work he better; there is no doubt about that.

4349. And that knowledge is essential to his raining?—Absolutely essential.

4350. With regard to open competition for di- lomatic appointments, it has been suggested hat it would be better to throw open all these ffices to open competition; what is your opinion f that, with a view to the public service?— That question is partly answered by what I said n the earlier part of my examination, viz., that I conceive that it is absolutely necessary that the Foreign Secretary should be wholly responsible or the persons that are admitted into the ervice; on anything in the shape of a body external to the Foreign Office on whom should be shifted the responsibility of selecting persons for the service, I look as one of the most dangerous things that could happen. I have stated why I think so, because I think that it would destroy that sense of confidence which now prevails. As regards the scheme that I mentioned, of course there would be the option between having a competitive examination amongst the whole body of these unpaid servants, and the scheme of a very high examination, a maximum test examination. I have got some knowledge of examinations; I was for two years in the educational department of the Council Office, and I have been at Oxford, and I have occupied myself with the question of examinations; and I have no hesitation whatever in saying that I look upon competition as the very worst form of training possible for the purpose that you require. I can describe it best by saying that every fault that is found with two-year-old races may be applied to competitive examinations. You bring out certain qualities prematurely; you develop in an excessive way certain peculiarities, and you totally miss the whole object of the kind of education that you require for a service like the diplomatic, which is the power of assimilation. Therefore I am totally and entirely against competitive examinations.

4351. Viscount *Barrington*.] You mean as far as the diplomatic service is concerned?—I am speaking wholly from the point of view of the diplomatic service. But I also dislike them from the pedagogue's point of view in themselves.

4352. Mr. *A. Russell*.] You have taken honours at Oxford yourself?—I took a second class in classics in 1849.

4353. You know what examinations are?—Yes, I do.

4354. Viscount *Sandon*.] You have seen possibly the Order in Council with regard to the other public services?—Yes.

4355. Supposing that the diplomatic service was added to that, you would consider it a real misfortune to the nation?—Very great. My reason is this; I should conceive that however good might be the men turned out by such a system, it would be a fatal blow to that international confidence, which I look upon as the *sine quâ non* of international intercourse. I wish particularly to make an observation which I have not seen made anywhere, which is that we have got something very much higher to consider than our national responsibility in this matter. The diplomatic service of the Foreign Office has confided to it the secrets of other nations; we are responsible not for our secrets only, but for the secrets of other people; and therefore it is of the greatest importance that whatever experiments we may make with regard to services wholly within our own control, they should not rashly be extended to relations which involve our good faith with other nations; because you must remember that a great many secrets are confided to us which do not immediately concern us, but which are confided to us in virtue of this complete confidence which exists at present, and which to a very great extent is based upon the prestige which the idea of an English gentleman carries with it, and we cannot jeopardise that confidence by letting other nations know that nobody is responsible for the persons to whom these secrets are confided. For this will really be the result of appointments made by competi-

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tive examinations. The Secretary of State is not responsible, because the successful candidates are forced upon him by the Civil Service examiners; the Civil Service examiners are not responsible for the individual as a whole, but only for a certain amount of brain work. Thus nobody is responsible.

4356. Mr. *A. Russell.*] The diplomatic service has been described as too exclusively composed of members of titled families; do you think that that is the case?—I think that if anybody took the trouble of looking at the Red Book, and of inquiring about who the persons are, he would find that the diplomatic service was exceedingly fairly made up You might call it a geological section of English society; you would find in it certain names of great families; you would find the names of families who have, within recent years, become connected with the House of Lords for public services; you would find names of great mercantile houses; you would find old official names, I mean those of persons connected with the public service for a good many generations; you would find the names of eminent physcians; you would find the sons of solicitors and attorneys; you would find as complete a microcosm of English society as in any other profession whatever. I have not gone carefully through the list, but that is my own impression, certainly, and I think anyone could substantiate it by going through the list.

4357. Do you see your way to the possibility of any reduction in the expenditure of the diplomatic service, without detriment to the public service?—Well, to tell the honest truth, I have not looked at the thing in detail; I only know what the sum total is, which I believe is about 180,000*l.* Now, if we have got a bad diplomatic service, 180,000*l.* a year is just 180,000 *l.* a year too much. If we have a good diplomatic service, which I believe we have (it is one that is good, and can be made better) I believe that 180,000*l.* a year is an exceedingly small sum to pay for that. Of course, 180,000*l.* is a good deal of money, but you must look upon it in relation to the work that is done. We must remember that England has an international position which no other country in the world has. We are the only country in the world that can be really said to have a cosmopolitan position. We are not only a great European power but a first-rate American power; a first-rate Asiatic power; a first-rate African power; and a wholly Australasian power. If, therefore, we do not spend upon our international machinery more than a first rate European power does, it seems to me a very small sum. As regards the possibilities of cutting the thing down here and there, I have never considered that matter.

4358. It has been said that a chargé d'affaires with a small salary, speaking in the name of England, ought to carry the same weight and authority as an ambassador with a large salary speaking in the name of England; do you assent to that?—That is a difficult question to answer. It seems to me to hang together with the whole question as to whether we are to set up an entirely different usage from that of any other nation; and whether we are called upon to practise a kind of international asceticism. I do not quite see why we should do that. It is, however, a difficult question to answer. In a particular case if a man had got the British fleet at his back I dare say that a chargé d'affaire's words would carry the same weight as an ambassador's; but the social position of a chargé d'affaires is certainly not equivalent to that of an ambassador or minister, and you can hardly expect England to use second-rate people when other nations are using first-rate people.

4359. You think that England ought to be represented by agents of the same rank as other powers?—Yes.

4360. And that it would not be wise to lower the position of our representatives if other countries do not do the same?—Most decidedly it would not. There is no use denying that people are very much influenced by these external forms; and, as I said, social status and position are more necessary to an English agent than to any other, because they afford him the only means of acknowledging a great number of international courtesies which he is perpetually receiving, and of requiting the trouble of a great many persons, both official and non-official, to whose services the present system of reports forces him to have recourse.

4361. We have been told that a diplomatic agent abroad could live with greater economy by abstaining altogether from mixing in the society of the town in which he resides; do you think that his efficiency would be diminished thereby?—His efficiency would be absolutely diminished. Do you mean, may I ask, that it would be cheaper for him to shut himself up than to go about in society?

4362. Yes; Mr. West, in his report from Paris, says that there is great exaggeration in the idea that it is necessary for a diplomatic agent to mix in society, and that it leads to increase in expenditure?—There is no doubt that it leads to increase in expenditure, but I cannot conceive how a man can be getting up the knowledge which her Majesty's Government expects him to have unless he does mix in society.

4363. You think that it would be difficult for him to receive the hospitalities of others if he never returned them?—Yes, absolutely impossible. Those hospitalities are made to him in virtue of his being the agent of the British Crown, and if he does not return them it is the British Crown that stands in the invidious position of not returning the civilities offered to it.

4364. Mr. *W. Cartwright.*] I think you entered the service before those recent examinations?—Yes.

4365. Therefore you have had experience of the service in its old state and also under the present system?—Yes, but only for a short time in its old state, because I had to pass through the second examination for a paid attachéship.

4366. Would you say that there is any difference in the attainments of the present generation in the diplomatic service as compared with those of the men who entered the service before there was any examination, I mean any improvement in their efficiency?—As far as I can make out there is a decided improvement in the actual diplomatic agents. The men in the junior grades especially, are, I should think, a superior body on the whole to what I have been told they were formerly; but then I think that that is principally owing to the kind of education which they are receiving by the present system of reporting which is entirely new. I cannot conceive that an examination such as that which at present exists can tell either one way or the other.

4367. You attach more importance, then, to such

n an education as they get in consequence of greater labour put upon them now when they in the service, than to the test of the examion?—I do certainly.

368. Could you illustrate the points in which think that the examination is deficient and inquate?—It is some time now since I passed examination. Most certainly the amount of wledge required as regards foreign languages a limited one, and persons passed the examion who were very far from being able to te French, as I consider that every diplomatic nt should be able to write French, and of which is certainly the most important por. of a diplomatist's education, international , the whole knowledge that was required was nowledge of the elements of Wheatstone, knowledge that could be got up in a fortht or three weeks. That we have got a y of men who are in the least acquainted n international law, I am sorry to say, I do believe.

369. You look upon diplomacy, I presume, means for promoting international purposes? es.

370. And you think that the kind of work ich has in recent years been put on diplomatic rants has had a tendency to extend their wledge in reference to international matters? es.

371. In the course of this Committee it has n repeatedly urged that the introduction and great extension of the telegraphic communiion has altogether modified the position of the lomatic servants abroad and has tended to re- e them from a great deal of responsibility and gether to modify their relations, is that your w?—My own impression is the exact reverse. elieve that the introduction of telegraphy has essitated a very far superior kind of intellectual ining to what existed before the introduction the telegraph. We must remember that we e not got the choice of telegraphing or telegraphing, because upon occasions like se of European conferences, which are cerly increasing very much, and probably will rease very much more, all the other diplotic agents are telegraphing as well as ourves, and therefore the work has to a very eat extent to be done by telegraphy. Only e side of the question seems to have been sidered with regard to this, namely the wer which the Foreign Secretary has of teleaphing his orders to the diplomatic agent. hat seems to have been entirely forgotten is at before the Foreign Secretary can convey orders to the diplomatic agent he must have telegraphic report of the diplomatic agent on which to base his orders. Now anybody o has thought upon the subject knows that all the responsible and of all the difficult ings to do to convey a completely new political uation, such as can be the result of a day's nference, in a telegram of some 70 or 80 words, d to convey it in such a form that not only Foreign Minister, but perhaps a Cabinet uncil may be able to decide upon it, is an inlectual *tour de force* which requires an exceedgly superior kind of agent. If you take the l conferences at Verona or Aix-la-Chapelle, any of those places, you had there a numr of ambassadors who settled themselves ry comfortably for a sojourn of weeks or nths. Whenever a conference had taken place, couriers were sent back to the different capitals, and they would wait till the answers came, so that no step was taken by those conferences for which the ministers had not the most detailed instructions. Instead of that we have now a system of telegraphing; and therefore though in one sense it relieves the responsibility of the ambassador or minister, in another it enormously adds to it. I have watched this question of the telegraph, and know something about it.

4372. Is not the mechanical labour of diplomatists increased by the use of ciphers necessarily consequent on the habitual use of telegraphing?—Yes.

4373. So that both the intellectual strain and the mere mechanical labour are increased?—Yes.

4374. In regard to examinations I forgot to ask whether you could give us information about what kind of examinations, if any, are customary in foreign services?—I could once have given information about Prussia, but my memory does not serve me now. If I remember right there are three examinations passed in Prussia, three *Staats-prüfungen*, and then there is an additional number of subjects in which a candidate for the diplomatic service is examined; but I cannot give you information worth having on that point without reference.

4375. I suppose that you do not agree with those who think that in consequence of the great improvement of the press, a great deal of the work that used to be done by confidential agents of the Foreign Office, now need not be done any more by confidential agents, and that the press itself in a great degree is a substitute for the work of the Foreign Office?—No, I cannot agree with that view the least in the world.

4376. Still the view does prevail that the press is, to a great extent a substitute for the work of the Foreign Office?—My view is very much the reverse, viz., that if we did not require the diplomatic service for anything else, we should require it for the purpose of controlling the information given by the press.

4377. You mean that you think very often the press is incorrectly informed?—It is not merely that the press is incorrectly informed, but, speaking not in the least of the English press, but of the foreign press from which the English press must to a great extent take its knowledge, it is a well-known thing that every foreign government has relations more or less subterranean with certain organs of the press, and that there is a perpetual manufacture of information which is certainly not necessarily correct, but which is intended for a certain momentary purpose. Now, one of the most important functions which a diplomatic agent has to perform, is to give to his Government exact knowledge of what is good information, and what is bad information.

4378. Could you illustrate that by mentioning any great crisis, where the great organs of the press were badly informed?—There are one or two wonderful instances of that. I fancy before the Italian War there was such a case, about a Russian treaty. I know that within my recollection there have been what are called very successful "canards," *i.e.*, false pieces of information sent flying about Europe with a specific political purpose.

4379. Viscount *Barrington.*] There was a little

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little mistake also, about the Zollverein, was there not?—Yes; "The Times" announced, in a leading article, that Prussia at last, after having been obstinate for a great many years, had consented to enter the Zollverein, and to form part of this great union. The fact was, that Austria had made a proposal to enter the Zollverein, under certain conditions. I cannot recollect what the article was now, but I know quite positively that the information was, that Prussia had made up her mind to enter the Zollverein, and the article showed the importance it was that Prussia should enter the Zollverein. Then the next day it corrected this information, and said that there was a little mistake; that it was not Prussia that had consented to enter the Zollverein, but Austria.

4380. Mr. *Rylands.*] I think I gathered from you that one of the instances of incorrect intelligence on the part of the press, had reference to an understanding which it was said had been come to between the Emperor Napoleon and the King of Sardinia, in reference to the cession of Nice and Savoy?—Mr. Cartwright asked me the question, and I had got a dim recollection that there was one very great canard in the year 1859, but I cannot recollect sufficiently what it was.

4381. I may at all events put it in this way; it was reported in the public press for some months that there was an understanding between France and Italy for the cession of Savoy and Nice; the question that I wished to ask you was this, whether you can recollect that it was the fact that our representatives abroad corrected that intelligence by informing the Government at home that there was no foundation for any such statements?—I am not able to give you any answer on that subject; my recollection does not serve me, but the treaty to which I refer was not connected with Savoy or Nice, but with Russia.

4382. You are aware that in the end it did take place?—I am quite aware of that fact.

4383. Mr. *W. Cartwright.*] But I think from your general view you do not think that the condition of the press at all justifies our suppressing or altering in any material degree our diplomatic representation abroad?—In no way whatever; and my reason is this, that first of all there is a great amount of information which never does get into the press, and which must be conveyed from one government to another; and, secondly, that the press abroad (I am not speaking of the English press, which, I believe, has a perfectly exceptional position) is in many instances a political instrument used by foreign governments for the manufacture of news intended to produce momentary effects, and because of this it is of the greatest importance that Her Majesty's Foreign Office should be informed by a competent authority how much of this sort of so-called officious information (you know in French the difference between officious and official) is to be trusted, and how much is not to be trusted.

4384. It is just the difference between receiving true information from a person whom you know to be thoroughly reliable, and receiving true information from a haphazard stranger?—Yes, or information which is partly true and partly coloured for a particular purpose.

4385. Now, looking round, from your knowledge, could you suggest any economics that might be made at the present moment in the f reign service abroad, or any redistribution missions in Germany or anywhere else?—No, cannot say that I can.

4386. You cannot make any practical sugge tions with a view to economy?—No; I think could make the service better by having mo money, but I really do not see that I could mak it better by spending less money.

4387. Do you think that the cost of living h very much increased abroad?—The cost of livi has very much increased abroad.

4388. Is it your opinion that the diplomat officers are underpaid?—I can only speak for t posts that I know; I consider myself very muc underpaid; but of course, that is a personal vie of the subject. I think it is perfectly impossibl for a man to live as a diplomatic agent without certain amount of money of his own. I thin he ought to see his way to having at some time other of his career, sufficient at all events enable him to save a part of his private incom That is the case with some missions, and it certainly not the case with others. I think I ca state as a general rule that a man for the seve or eight years before he gets a mission is spendin not only his income but his capital; if he is married man, certainly he is, unless he has got large private fortune, which is a thing whic unfortunately, few of us have; and I think th he ought to be able to pay himself back what h has spent of his capital when he gets a mission

4389. In point of fact, you are of opinio that the service is anything but exorbitantl remunerative?—The service is most certainl underpaid, there is not the slightest doubt in th world about that.

4390. You threw out a suggestion that the should be, I think you said, an unlimited numb of unpaid attachés?—An unlimited number unpaid attachés.

4391. That these unpaid attachés should r main in that position till there was a vacanc amongst the secretaries, and that they should l admitted to be secretaries after a very high te examination; now do not you think that th would be a discouragement to persons who migl go on for an unlimited time as unpaid attach waiting for some opening, as an examinati can only take place when there is an opening?- My sketch was a very rough one, and only la down a few general principles to get over th difficulty of obtaining persons of high profe sional training, and at the same time to leave th foreign minister perfectly free, as regards high appointments, to appoint the men whom h wishes. I only gave that as a sort of general ou line of a plan that might be worked out in deta Of course there are all manner of difficulties th will suggest themselves in carrying it out, b as regards your particular question, my id would be that there should be, every two yea an examination to which these unpaid attach might submit themselves, and that all the perso who satisfied the examiners that they had reach this high test, should then be the men who had right to fill these openings when they becan vacant. I think you might supplement the pl by giving a certain sum to the foreign ministe say 2,000*l.*, or 3,000*l.*, or 4,000*l.* a year, to p the services of the men who had passed the e amination, but for whom there were as yet vaoancies, so as to have them ready for his us

The

se men would know the chances of the ser-
, and the examination would be passed at
ry early period in their service. What you
: now is a large number of persons who are
gering and thirsting for these posts just as
h as the people of whom I speak would be,
that in the one case you would be perfectly
ain of having the right men to fill them, and
ne present case you only have persons rising
eniority, which necessitates the employment
ery second and third-rate employés.

392. You would then have envoys and secre-
s paid, and a certain number of attachés who
ive premiums?—An unlimited number of
chés, who may pass this examination that I
k of, and whose services the Foreign Secre-
can pay for as soon as they have, by their
nination, shown that they have the know-
e which the Foreign Office expect them to

393. I think you said that you were not
erse to seeing junior members of the diplo-
ic service drafted into certain consular ap-
ıtments?—I should wish to see all the
ular appointments, which have a distinct
tical character, amalgamated with the diplo-
ic service.

394. It has been observed several times that
e danger might exist of making such juniors
became consuls, invested with a certain
tical character, prone to what is called need-
intermedling; do you think that there is much
ger of that?—No, I think it is just the re-
e. The danger of meddling arises when you
a man utterly unused to political work into
st where he has a certain amount of political
k to do. Such a man suddenly finding him-
in a place like Bucharest or Belgrade, where
e is a good deal of important political work,
n danger of exaggerating the nature of his
tical functions, whereas a man who has been
etary of embassy, and who knows the com-
ative importance of work at Bucharest, and
at Paris or Vienna, is not likely to make
t mistake.

395. Do you think, generally, that there is a
osition on the part of persons in our diplo-
ic and consular services to meddle?—Abso-
ly none; the tendency is very much the
erse; the tendency is for them to abstain as
ch as possible from anything in which they
ld burn their fingers. As regards that ques-
ı of what is called intervention, I must con-
, having for about 20 years been watching
international relations, that I am of opinion
t the cry about the damage and harm
t has been done by needless intervention,
s very much more upon public opinion and
ular writers in England (certainly it does not
upon the diplomatic profession, which is a
re instrument) than it does upon Cabinet
isters or upon the Foreign Office. If we
k at the questions relating to Poland, and
ly, and Denmark, what really happened was
t a sort of strong and violent public sym-
hy, expressing itself in public meetings,
l articles in the press, and so forth, re-
ed upon the imagination of foreigners
d the people concerned, so as to make them
lieve that what a public meeting with a
ular chairman, in England, decided, would be
ified by Parliament. I think that anybody
o has considered a little the history of such
estions as the Polish question and the Italian

question, will see that the right horse has yet to be saddled. We forget altogether, or we do not sufficiently consider that what a great free people like the people of England expresses vociferously at a public meeting, people abroad take for good coin. And when we talk of intervention we must remember that it is we, as a nation, who are to a very great extent responsible for that. We are excessively fond of meddling as a nation; just take the instance of all those mayors who went the other day in a procession, by special train, to pay their respects to King Leopold, and those volunteer deputations that go there every six weeks. Well of course we know the value of that, but we must not suppose that the Belgians know the value of it. We must not suppose that the Belgians look upon it as meaning anything else than that if they were to kick over the traces, and to make themselves disagreeable to France, all these mayors would instantly call public meetings and urge war to the knife with France. If you told them that on the contrary these mayors would be the first to call public meetings to protest against war, no Belgian would believe you. Coming from a free people the sort of thing that I have been describing is after all more intervention than anything that a cabinet can do, and I am certainly inclined to say that the diplomatic service served by the Foreign Office, and with a man like Lord Clarendon for Her Majesty's Foreign Minister, is a very useful corrective to popular vociferousness of that kind.

4396. Mr. *Eastwick.*] Would you think it expedient, that being the case, for the Foreign Office and the diplomatic service to instruct the press at certain times, or up to a certain point?—I consider the less diplomatic agents have to do with the press the better.

4397. You would not furnish information to it?—I would not furnish political information.

4398. But in such a case, for instance, as this which you have just been mentioning, of the mayors who went to Belgium, would it not be advantageous to put in an article which would say that there was no deep meaning, no political meaning, in such a circumstance?—Well, I think that that is the business of the press of a country like England, but the proper channel of communication is the accredited minister, and it is his business to represent the true state of the case to the Government. I know nothing, of course, of what has taken place at Brussels, but it is the business of an English representative to keep the government to which he is accredited thoroughly acquainted with the attitude of England to that government.

4399. So that that government might, if it pleased, having the correct information, take any steps to instruct the press accordingly?—Yes.

4400. Take, for instance, India, where there is no authentic information with respect to matters in Persia, owing to our relations with Persia being under the Foreign Office. Do not you think that it is a dangerous thing if the press continually goes on writing against Persia, and representing erroneous facts as to the movement of Persian troops so as to excite the public feeling both of Europeans and of the West Indian population against the Persians?—Well, I should consider that an English diplomatic agent should use the official knowledge that he has, to correct positively false data.

4401. Or the Indian government?—I think

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that you cannot possibly do too much in the way of correcting actually false information. It is a perfectly legitimate function of a diplomatic agent to correct false information.

4402. With regard to the examinations, do not you think it is most desirable to have the very best talent of the country in the diplomatic service?—Certainly.

4403. Do not you think that we might get better talent than we have by attending more to examinations?—Certainly; that is my notion of a maximum test examination.

4404. And do you not think it desirable to have a stringent examination at an early part of a man's career, rather than to admit him on very slight grounds into the service, and then continue examinations afterwards?—Certainly. As I said before, I would have no examination for the unpaid attachés, and I would have the very highest possible test examination to be passed once for all, it being at the option of th individual whether he would submit himself t that examination or not.

4405. I would like to ask what you would d with these unpaid attachés; supposing that t gentleman had been serving for a number o years as an unpaid attaché, and could not succee in getting through the examination, what woul you do with him?—That is entirely his own loo out. I would have no contract with him; th the man had passed his examination, the Stat should know nothing of him.

4406. If you could amalgamate the politic consular service and the diplomatic service the way which you propose, you would keep, suppose, the mere shipping consuls in a total distinct service, and not connect them with th diplomatic service at all?—I would keep the perfectly distinct.

Thursday, 30th June 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. Bouverie.
Mr. Cameron.
Mr. W. Cartwright.
Mr. Eastwick.
Mr. W. H. Gladstone.
Mr. Holms.
Mr. Kinnaird.
Mr. W. Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Sclater-Booth.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Sir HENRY DRUMMOND WOLFF, K.C.M.G., called in; and further Examined.

Sir *H. D. Wolff*, K.C.M.G.

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407. Mr. *Rylands.*] I THINK that although have not been long in the diplomatic service, have had many opportunities of visiting the itions in various parts of the world?—Yes, I attached twice to legations during the time I was in the Foreign Office, and I have also velled a good deal and seen a good deal of our itions in foreign countries.

408. Which legations were you attached to? was at Florence, and for a very short time I attached to a special mission at Brussels.

409. And in addition to being at those places have had the opportunity of observing the king of other foreign legations in Europe?—s.

410. Have you formed any opinion, from your portunity of judging of foreign missions, whe- r any reduction could be practically made in staff employed in the foreign legations?—I rely think that any reduction could be made the existing staff of legations. One or two sions, perhaps, might be reduced. For in- nce, the mission at Stuttgardt appears to me be one that might be reduced for two reasons. the first place, I do not think that the mission re is of any very great use, and in the second ce, Wurtemburg has no mission in England, l reciprocity is the essence of diplomacy.

411. That reply has reference to the absolute uction of small missions; but in the larger sions, where you would not absolutely abolish m, have you formed any judgment as to ether the staff of secretaries and attachés nected with the legations is more numerous n necessary?—I do not think that the staff is all too numerous.

412. You are not prepared to recommend any uction of the staff?—No, not at all.

413. Have you formed any opinion as to ether such a reduction could be made by the ployment of efficient persons attached to the ations in a permanent character as clerks?—I ve been here on two occasions previously, and ard that question asked, and I have considered since I was here; but I do not think that, by employment of clerks, you would achieve at I imagine you have in view, namely, eco- my: because, if you are to have an efficient rk, he must speak the language of the country, and in addition to that he must speak French. I do not think that you would get a clerk with those capabilities for a less salary than you pay to a second secretary. Therefore I do not see that you would gain anything by employing a clerk of that kind. Perhaps at some of the large embassies, like Paris, or some of the other embassies, you might employ a clerk for current business, the police business and things of that kind; but I think generally the addition of clerks to diplomatic establishments could not be introduced as a general system.

4414. You have spoken in reference to economy; do you not think that the salary of a second secretary would be higher than would be necessary to secure the services of a subordinate clerk of the character suggested?—A second secretary generally receives between 250 *l.* and 400 *l.* a year; and I scarcely think that you would get a clerk talking languages, and having the accomplishments necessary for the position of a clerk at a legation, for less than that, considering too that he would have to leave England.

4415. The other idea is, that it is not improbable a clerk of that character, kept at regular routine chancery work, would get through more work than is now got through by any single under secretary; what is your view on that?—My own experience of secretaries is, that though they do not always have a great deal to do regularly every day, yet whenever there is a great emergency of business they are always very active and very anxious to do their work properly, and I think that they would do it with more intelligence than a clerk; and as to the salary, I am convinced that it would be about the same. I do not think that you would get a clerk talking languages to do more than a secretary, or to do it for less salary.

4416. Of course, taking the view which you gave us the other day of the amalgamation of the services, you would scarcely think it advisable, in reference to the block that has been complained of, to appoint such officers?—Certainly not. And there is another danger in it, which I have myself seen. I cannot refer to individual cases, because it would look personal; but I think that there have been occasionally cases where a man has got into a kind of subor-

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dinate position, and has made that a species of fulcrum to work himself up. It is rather a dangerous precedent, except, as I say, in large embassies like Paris, where there is a good deal of current business which does not require a man of any social standing to attend to it. I do not think that you would achieve economy by that plan, or efficiency.

4417. In reference to your experience at the Foreign Office, I should wish to ask you some questions in relation to the distribution of the business at present. The different countries of the world are divided into classes, and are confided to separate officials in the Foreign Office, are they not?—Yes.

4418. You are aware, probably, of the circumstances under which the diplomatic business of those divisions of the different countries of the world passes through the Foreign Office?—Yes.

4419. I suppose that, in the first place, it goes through the clerks allotted to the department to which the country belongs, and from the clerks, I presume, that ordinary business would go, in the first instance, through the senior clerk?—I suppose that the work is conducted in the same way as when I was in the Foreign Office. If a bag comes in, for instance, from a foreign mission, if it is out of office hours it is taken to the resident clerk, if it is in office hours it is taken to the geographical department to which the mission belongs. The papers are then taken out; if it is during office hours, they are at once registered by anybody in the department, and then they are sent to the Under Secretary of the department in boxes, who sends them at once to the Secretary of State.

4420. Can you tell me what the senior clerk does in connection with that bag; supposing a bag came in from Italy, it would go, as you have just told us, to one of the junior clerks; and then would it go directly from the junior clerk, after being registered, to the Under Secretary of State?—There is some alteration in the office in the distribution of the rooms since I was there; because, when I was in the Foreign Office, it was in the old building, and nearly everybody in the department sat in the same room. Naturally the senior clerk was in the room and looked through the despatches, and they would not be sent on from the department except with the cognizance of the senior clerk. The senior clerk would look through the despatches that came, and anything of a routine character he would keep back for the moment, and he would send on the more pressing ones. If he saw that in any particular case any reference was necessary, and there was time for it and no great hurry about the thing, he would desire somebody to annex the former papers to the particular despatches which required a reference. He then sent them in a box with his name (labels being for that purpose prepared) to the Under Secretary of his division.

4421. That is to say, to either the permanent or the Political Under Secretary, whichever was the one to whom the particular division containing that country of the world belonged?—Yes.

4422. Are you aware that, in the division which is made in the Foreign Office, the despatches from the most important embassies and legations abroad go to the Permanent Under Secretary and not to the Political Under Secretary?—By the present arrangement he divides the duties absolutely with the Political Under Secretary.

4423. And perhaps you are aware that [illegible] most important countries, those countries [illegible] which the most important negotiations are likely to arise, are allotted to the Permanent Under Secretary, and not to the Political Under Secretary?—I believe they are, but there has been little redistribution since I left the Foreign Office.

4424. It is the fact that the Permanent Under Secretary has the lion's share in the distribution of business?—You have got the distribution of the Foreign Office list, and therefore you can see what it is now; but in my time it was pretty equal. The Political Under Secretary had Austria and the whole of Germany, as well as Spain and South America, and everything that was Spanish or Portuguese; but I find that since I left the office they have added a commercial department and given the Political Under Secretary the commercial department, and taken away one of the political departments.

4425. With regard to the commercial department, it is given to the two Under Secretaries conjointly; Mr. Hammond and Mr. Otway are put down as the Superintending Under Secretaries of that department; and that is the case, I think also with reference to the internal arrangements and other business of the office. But in the distribution of the diplomatic business abroad, the countries given to the Permanent Secretary are as follows: France, Italy, Madagascar, Switzerland, and miscellaneous, Barbary States, Egypt, Greece, Persia, Russia, and Turkey, China, Japan, Siam and United States, Argentine Confederation, Bolivia, Brazil, Central America, Chili, Columbia, Equator, Haiti, Mexico, Peru, Portugal, Spain, Uraguay, and Venezuela. Having read that list, I think you will agree that it does embrace a very large amount of the current business of the office?—Evidently.

4426. The effect of that would be, that the despatches from abroad in connection with those departments would go to the Permanent Under Secretary, would receive his minutes, and would be sent from him direct to the Foreign Secretary?—Yes.

4427. Without in the first place passing through the hands of the Political Under Secretary?—Just so.

4428. The decision come to upon those despatches would be formed by the Foreign Secretary in conjunction with the Permanent Under Secretary?—Yes.

4429. And then communicated to the Political Under Secretary, but not before; that, you are aware, is the course of business, as the ordinary rule?—Yes; it goes to the Under Secretary of the division, who sends it to the Secretary of State, who then sends it back to the department through the other Under Secretary, but after his decision is taken.

4430. After his decision is taken by consultation with the Permanent Under Secretary?—Yes, if he chooses to consult him.

4431. But the effect of that is, that the decision is taken before the Political Under Secretary has any voice in the matter?—Yes, certainly.

4432. With reference to financial questions in relation to increase of expenditure, or any proposal whatever in connection with the expenditure under the Foreign Office, are you aware that

that is determined chiefly by the Foreign
retary, in conjunction with the Permanent
ler Secretary, and not with the advice of the
tical Under Secretary?—Yes, certainly; all
office arrangements, including finance, are
lucted by the Permanent Under Secretary.

433. From your knowledge of the working
he Foreign Office, do not the arrangements
which I have alluded tend necessarily to
a very much greater amount of control to
Permanent Under Secretary than to the
tical Under Secretary?—Yes, certainly.

434. Are you aware of the arrangements in
r departments of the State, in connection,
with the Colonial Office?—Yes; in the
nial Office the arrangement is different; the
x is divided there between the Permanent
er Secretary and the Assistant Under Secre-
and goes through the Political Under
etary.

435. Then, in fact, in the Colonial Office the
ness comes ultimately through the Political
er Secretary to the Secretary of State?—
I must observe that there is one thing
must be borne in mind as a point of differ-
between the two offices, which is this. In
Colonial Office there is is no rapidity of
.; it is not necessary. Everything is a ques-
of precedent and former correspondence,
nothing presses from one day to another.
ything may be adjourned; in fact, it re-
es more deliberation than the business in the
eign Office, where a despatch comes from a
gn diplomatist to the Foreign Office, which
ires merely the judgment of the Secretary
tate, and no reference to any former pro-
ing or analogies of any kind. For instance,
the case of the Greek assassination the other
In that case there were no former papers
ired, or any consultation at all. The papers
e in, and, I suppose, went to the Secretary of
e, and he formed his own judgment from
papers before him. Therefore you do not
ire the same deliberation in the Foreign
e, and the same consultation, as you do in
Colonial Office; and the passage of the
rs through one Under Secretary to the
etary of State takes place much faster, by
n of their merely going through one Under
etary of State, than would be the case in
Colonial Office, where everything is carefully
ted first by a clerk, and then goes through
different Under Secretaries to the Secretary
State, a week after it arrives, perhaps;
reas, in the Foreign Office, the despatches go
e Secretary of State within 10 minutes after
arrival. That makes a difference, but I
x, on the whole, it would be advantageous
he Foreign Office if there were some re-
ngement as to the position of the Political
er Secretary.

436. I must not take you into details on this
t, but can you say whether, in your judg-
, it would be desirable that the whole of
diplomatic correspondence should be divided
een two Permanent Assistant Secretaries,
that matters of importance should go through
Political Under Secretary to the Secretary of
?—I could not well answer that question,
ss I could intrude upon the Committee for a
ute or two, to explain my general views on
matter. I should not care about the papers
g straight to the Secretary of State, through
Permanent Under Secretary of State, so
51.

long as the Political Under Secretary had some voice before the final decision was taken. The final decision is not taken on the paper at once The Secretary of State minutes this paper, and it goes back again to the department, and then the drafts and so on are sent up to the Secretary of State. I think that it would be advantageous that the Political Under Secretary should have some voice in the drafts before they go to the Secretary of State, because, otherwise, any remark he had to make would entail his asking the Secretary of State, who is his chief, to reconsider his decision. It would be advisable that he should have some voice before the decision was taken, so as not to be put in the invidious position of asking the Secretary of State to reconsider his decision. And with regard to the general question, it appears to me that the present arrangement of having the Secretary of State in the House of Lords, and the Under Secretary of State in the House of Commons, is the best arrangement that there could be, because the work of a Secretary of State for Foreign Affairs would, at times, be a very great deal too heavy for him, if he were at the same time in the House of Commons. On the other hand, I have also seen that the Foreign Office has come into trouble when it has not been represented in the House of Commons. The only two occasions which I recollect of an adverse division in the House of Commons on a Foreign Office question, were occasions when there was no representative of the Foreign Office in the House of Commons; that is to say, on the China question, and on the Conspiracy Bill. At that time both the Secretary of State and the Political Under Secretary were in the House of Lords. I think it is very advantageous for the Foreign Office that it should be represented in the House of Commons by a special officer, and also that the House of Commons should be reflected back to the Foreign Office by the same channel.

4437. Then, in fact, according to your plan, you think that the diplomatic arrangements throughout the world would be more under the control of Parliament, and would be more likely to be efficiently represented by an Under Secretary of State in the House of Commons, if he were placed in the position which you think the Under Secretary should be placed in in relation to the work of the office?—Yes. I do not say that I should put him over the head of the Permanent Under Secretary, but I think that he ought to have a voice in everything of importance before the Secretary of State gives his final decision.

4438. Mr. *W. Lowther.*] In giving your evidence upon the Foreign Office you speak from your experience of what it was when you were there, which is some time ago?—Yes.

4439. Did the Political Under Secretary write many despatches when you were there?—That varied very much; sometimes he did and sometimes he did not.

4440. He always had access to all the correspondence that came into the office?—He had access to it, but it was subsequent access, in a case where the matter was not in his own department.

4441. But it would retard business rather if every subject was to be referred to the Political Under Secretary, would it not; for example, now the Under Secretary is attending a Committee here at two o'clock, and may be in the House till

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till 12 o'clock to night?—There might be, of course, a little delay, and where there was delay it must be overlooked; but I think, generally speaking, it would be advantageous if he saw every draft of importance before it went to the Secretary of State for approval.

4442. And you suppose that he does not?—I am certain that he does not, unless they have changed the practice very much.

4443. Mr. *Rylands.*] That is to say, he does not know the decision till after it is come to?—Yes; there is no mechanism by which he is absolutely cognizant of every decision before it is taken.

4444. Mr. *W. Lowther.*] With regard to the reduction of missions, I think you stated that you were in favour of Stuttgardt being reduced?—Yes.

4445. Altogether done away with?—No. I think that there ought to be somebody there; but I do not see any advantage in having a minister there.

4446. You have never been employed in Germany, have you?—No; I have travelled there.

4447. But you have not been employed there?—No; but I have been employed in the German department of the Foreign Office.

4448. Viscount *Barrington.*] I think you stated that it was your opinion that ambassadors should change with every change of Government?—Only the ambassador at Paris.

4449. Not other ambassadors?—I think it would be advantageous; but I do not think that it is so necessary with regard to the other ambassadors as it is with regard to the ambassador at Paris.

4450. Would not that lead to extra expense to the country?—I do not see that it would involve any expense at all, except the outfit, which is very small. The ambassador has a house at Paris, and his outfit, I think, is about a third of his salary, which would make it about 3,000*l.* It always was the case, until the year 1852, that the ambassador there did change. If you look back, in the Foreign Office List, at the list of ambassadors, you will find that there was a regular change of ambassadors at Paris with every administration. Formerly Lord Stuart de Rothsay, Lord Granville, and Lord Cowley used regularly to ring the changes of English administrations at Paris; then in 1847, when Sir Robert Peel's Government was turned out, Lord Normanby was appointed; and when Lord Normanby retired, in 1852, Lord Cowley was appointed, and he was the first ambassador who remained there under successive administrations.

4451. I suppose you are alluding to their different home political feelings?—Yes.

4452. But I presume that no ambassador would remain there if he objected to carry out the orders of the Government; it would be impossible, in fact, for him to do so?—But I think that there is this danger very often; I do not say that it ever has occurred, but I think that there is the danger of his serving one Government more willingly than he would another.

4453. Take the instance of a Peer and an ambassador who has no very particular political opinions one way or the other, who sits on the cross benches in the House of Lords?—I of course cannot go into a personal question, but I am very strongly of opinion that the public service would be promoted by a change of ambadors at Paris with every administration.

4454. At the same time you only give tha your opinion without actually stating why think so?—If I stated why, I should hav give personal motives, which you would not me to give. I should not mind explainin you alone, but I could not say it in public.

4455. Mr. *Cameron.*] With reference to change of ambassadors at Paris, do not you th that if your principle were carried out it w destroy the feeling that however much the h policy of this country might be changed, regard to foreign affairs, the policy of this c try always remains the same?—I think th would be more strongly expressed if you h change of ambassadors at Paris. There is n a change of policy on the part of the Gov ment, not a real and fundamental change, there are changes in their views of manipula certain questions.

4456. But surely if this country were change its representative at Paris each time the Home Government was changed it w imply a certain intention to change its for policy?—No, I do not think so. For insta to give you one case, the Government of L Palmerston was turned out in 1858, on the C spiracy Bill, and Lord Cowley was then am sador at Paris. Naturally he was to a cer extent connected with Lord Clarendon in policy which was rejected by the House of C mons. I think that it would have been ad tageous if Lord Cowley had retired in 1858 Lord Clarendon, because there was a chang the manipulation of a question, though t was no change in the feeling of alliance tow France; the policy of that Conspiracy Bill changed, but it did not change on general ings of alliance towards France. Another vernment came in, and I think that it w have been advantageous if another ambass at Paris had announced to the French Gov ment what the English Government intende do; to keep up the alliance, but still u another process.

4457. In fact, I may take it to be opinion that a change of our ambassador at P with each successive Government here w imply, not a change of policy, but exactly reverse?—It need not imply anything at You send a new ambassador, and I think it im a strong feeling of friendship towards Fran you send a man who has the intimate confid and is the associate of the new Governm rather than keep an ambassador who, how high in position, is the mere agent of succe Governments.

4458. With reference to an answer which gave to Mr. Lowther, do I rightly under you to say that the Political Under Secreta never consulted by the Principal Secreta State for Foreign Affairs on matters conn with those countries which come under the manent Under Secretary?—Not necessarily

4459. As a fact?—As a fact he may s particular cases where he does consult him; as a matter of fact, the Political Under Secr has no voice that affects the other departm unless either the other Under Secretary o Secretary of State chooses to consult him has no right to volunteer his opinion.

4460. But surely in every matter, exce matters of the most trivial nature, the Secr

of State consults the Political Under Secretary?—It was not so in my time. Of course, if they are on friendly terms, they talk to each other, and the Secretary of State communicates things to the Political Under Secretary, but there is no mechanism by which the Political Under Secretary can, so to say, force his opinion on the office before a decision is taken.

4461. Is it your opinion that the arrangement of the interior of a public department, the distribution of bags and of the work between the clerks, is a desirable subject for Parliamentary interference, and that it might not be left to the head of the department itself?—I think that the distribution of work is merely a matter of detail; but for the reasons that I assigned just now I consider that the Political Under Secretary, who is reflecting the element of the House of Commons in the Foreign Office, should have the means of expressing an opinion on every paper before the ultimate decision is taken.

4462. And in your belief at present he has not that power?—In my belief at present he has not that power.

4463. Mr. *Eastwick.*] Would it not also be an item of expense in changing the ambassador at Paris, that you have to give a pension to every ambassador who retires?—You would not necessarily do that. Lord Normanby had no pension when he left Paris.

4464. After three years' service as an ambassador a man would have a right to a pension, would he not?—He must have had the Queen's commission 15 years before he is entitled to a pension, and then the three years' service as an ambassador gives him the right to the highest scale of pension.

4465. But there would be many cases; in fact, it would generally be the case that they would have served their time?—Except that if you were to send a politician from England to Paris as ambassador, he would take the post as an English minister does, and would not look for a pension any more than an English minister.

Mr. Robert Burnet David Morier, C.B., called in; and further Examined.

4466. Mr. *Rylands.*] When we had the pleasure of seeing you before, I understood you to object to competitive examinations as applied to the foreign service, and I think I understood that you thought there was an objection applicable to them in relation to the foreign service which did not obtain in relation to other services?—Certainly.

4467. And that the tendency would be that competitive examinations might bring in persons of a character which would have the effect of destroying that international confidence that you think so necessary in the conduct of legations?—What I said with regard to competitive examinations was only the logical consequence of what I said with regard to the appointments to the service generally; I think that they ought to be absolutely in the hands of the Foreign Secretary. To have persons forced upon the service by a body such as the Civil Service Examiners, who are outside the Foreign Office, would be to diminish that confidence, because it would so far take the thing out of the hands of the Foreign Secretary.

4468. Have you seen the recent Order in Council in relation to competitive examinations, as applied to the public departments?—I have not read it carefully.

4469. Perhaps you may have observed it so far as to know that it is intended, under the Order in Council, that when a man passes a competitive examination for a particular department, he shall be drafted to that department and serve a probation there, and shall have no right to employment unless he receives a certificate of approval from the head of the department into which he is drafted?—I was aware of that.

4470. The effect of that would be that, supposing a number of young men went into the foreign department under open competitive examination, none of them would be appointed without the sanction of the Secretary of State; and in that event do you not think that there would be a very great approach to your idea of responsibility?—I do not think that six months would be sufficient to give anybody that knowledge of the individual which is required, and the Foreign Secretary would still not be responsible for him; he would be to a certain extent responsible, in so far that he had had opportunity for six months to watch him, but he would not have that absolute responsibility of which I spoke; he would not be responsible in the same sense as if he had himself selected him. If you will allow me I will give an instance of the sort of thing I mean. Within a fortnight of being named unpaid attaché I was called upon to accompany Lord Westmorland to the camp held at Olmütz, just before the Crimean War. It was one of the most important crises in modern European history. I was the only person with Lord Westmorland. Business of the very greatest importance was being transacted every day, and I had access to information of the greatest money value; I mean knowledge which I could not only have sold for any sum almost, but which would have enabled me to play on the funds with absolute certainty. I was going every day to Count Nesselrode, to Count Buol, or some other Minister, with messages of various kinds from Lord Westmorland, having reference to the business being transacted, and I was being treated on the most absolutely confidential terms. I think that is a sort of thing that could not possibly have been done unless the Foreign Minister who had appointed me had been wholly responsible for my nomination; and I think that what I call international confidence could not have been the same if Count Nesselrode, and these different persons with whom I was helping to transact business, had known that I had been delivered over labelled as fit for use by a body outside the Foreign Office.

4471. But if a man were introduced by competitive examination into the foreign service, and if then his subsequent promotion took place in the way that you would very much approve of, I mean in consideration of his merit and peculiar ability for the service, when he got to the position which you occupied there, do not you think that, under those circumstances, he would be very likely to be deserving of confidence, and that, inasmuch as his promotion had arisen out of merit, there would not be any objection felt to it by the members

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members of other legations?—I was an unpaid attaché, having been exactly a fortnight in the service, therefore I was in the position of one of those persons immediately appointed.

4472. But that must be unusual for a very young man to be placed in a position of such confidence?—I was unfortunately not a very young man then. It was before the rule limiting the age of admission had been established; and I may incidentally remark that I consider this rule as thoroughly bad, and calculated to keep very good men out of the profession.

4473. But I am assuming that when men get into such a position they will have passed through such a career of promotion by merit, as to have removed the difficulty that you suggest?—I have a strong belief that the Foreign Secretary must be absolutely responsible; and I think if you ask a man to do difficult work he must choose his own tools, and he must not have his tools forced upon him by outsiders.

4474. I understood you to sustain the position of Darmstadt as a mission on several grounds; one of which was the obtaining of information in reference to the political and commercial affairs of Germany; I think that was one of the most important reasons of all that you gave?—I did not mean by that finding out secret information, but I meant that, in the case of Darmstadt, there was an opportunity of watching, for instance, the action and the legislation of the German Parliament as affecting a State which was only partly in it and was partly without it, and questions of that kind; opportunity of watching the process of reconstruction, in which Germany is at present engaged.

4475. As to the position of Darmstadt, I think it is not very far from Carlsrhue by railway, four or five hours?—About four hours.

4476. And it is also near Stuttgardt?—About six hours from Stuttgardt, I should think.

4477. In your judgment, from your experience do you not think that, placed as you are in Darmstadt, all the information that might be necessary to be obtained on the various points to which you have alluded, might be obtained by you without the necessity of having these appointments at Carlsrhue and Stuttgardt?—I think that is a question you can hardly ask me to answer.

4478. I will not press it if you do not like to answer it; I will put it in this way: do not you think that your position in Darmstadt enables you to get information in reference to the affairs of Germany, and the commercial interests of this country affected in Germany, extending over a much wider area than Hesse Darmstadt, where you are stationed?—Yes.

4479. I am quite aware that we are indebted to you and other members of the service for valuable information and important reports in connection with land tenure and other questions; perhaps you will allow me to ask you whether it is the fact that a greater amount of attention has been paid by the representatives of England abroad to commercial questions during the last few years than was formerly the case?—Very much greater; indeed, there is no comparison between the work that has been done within the last 10 or 15 years and the work done before. The system of reporting is quite new, and there is no foreign diplomatic body which does it at all to the extent that we do.

4480. I suppose that it is felt in the service now, that if a man makes himself competent in relation to questions affecting the material interests of the British Empire, it will be very much to his credit with the authorities at home?—Very much to his credit, but not to his advancement, owing to the seniority system.

4481. If your view were carried out, you would make it a matter that would tell on his advancement?—To the very greatest possible extent.

4482. And you think that that would be an encouragement in the very great labour that would necessarily be entailed on him, to a man who does his duty in obtaining this important information?—It would make the whole difference.

4483. Your whole career, I think you said, has been spent in Germany?—With the exception of accompanying a special mission to Naples my whole career has been spent in Germany.

4484. Do you not think that the effect of your having been so much in Germany is to give you experience of very great value in your present position in Germany?—Certainly.

4485. You would not consider, for instance, that you would be in a position so well adapted to promote the interests of England if you were removed to some country with which you had no previous acquaintance at all?—No; I could not say that I should have the same feeling of confidence. I have been 17 years in Germany, and I can honestly say that it is only quite lately that I have begun to feel that I have the power of really judging of social and political questions in Germany.

4486. You do not think then that, in reference to diplomacy, it is a desirable thing that a man should have a smattering of all the countries on the face of the earth, and no full knowledge of any particular country?—I think it is impossible to lay down an absolute rule of that kind. For many reasons it is desirable that a man should know many countries; and, at the same time, it is desirable that there should be in the profession a certain number of men who are thoroughly acquainted with the different countries. I do not think that you can lay down a rule on the subject.

4487. But you think that the knowledge which a man may obtain by having passed a career in a particular large country, such as Germany, ought to be a consideration in the appointments to the higher and more responsible offices in that part of the world?—I think so.

4488. Of course all that is consistent with your idea, that in every direction promotion should depend upon experience, ability, and zeal?—Yes.

4489. With regard to that promotion arising from the superiority of a man's character and services, you think that the fact that there was promotion by merit would do a great deal to remove the feeling of hopelessness that you speak of as prevailing in the profession?—It would entirely remove it, I think.

4490. It would have this effect, I presume, in your judgment, that if a man were an inefficient man, and saw that he had no chance of getting on, he would become hopeless, and very likely might go out of the profession?—Which would be very desirable.

4491. There is no objection to the inefficient men becoming hopeless; the objection is to men of ability becoming hopeless?—Just so.

4492. There

4492. There was something said about the contract under which men have entered into the diplomatic profession; but do you consider that that contract went to the extent that it would prevent the Secretary of State at the present time from making rules as to promotion depending upon merit?—I think with regard to the men who have entered since 1861, that they have a very fair right to look forward to the operation of the system of seniority up to the grade of first secretary of legation.

4493. Then you think that we are in this position, that as regards those now in the service, there could not be any material alteration of the system, so as to promote by merit, and not by seniority?—I was asked, on the former occasion, by Mr. Otway, whether I had considered what means there were of relieving the block. I had not considered the point at that time, but I have thought of it since, and I have put down in writing a few suggestions that I think might be adopted. As regards the momentary causes of the block, some means should be found of retaining the good men, and getting rid of the bad men.

4494. *Chairman.*] That is the problem to solve?—That is the problem to solve; because, in the present state of the labour market, a man who has attained a status in the diplomatic profession, who is known to have been a trusted agent of the Government, who has a thorough acquaintance with foreign languages, who has mastered all the details of finance and of the productive resources of European countries, is a man who can any day command a very large price if he chooses to go out of the service, and serve in one of those numerous international undertakings which are becoming every day more developed. Therefore a man of that sort can get his price; and I know at the present moment (of course I cannot mention names) several persons, very excellent public servants, who are only waiting to see whether there is a prospect of this block being got rid of, before they decide on leaving diplomacy, and going into private enterprises of that kind.

4495. Those are the people that you wish to retain?—Those are the people that I wish to retain; for if those people go out you retain the second-rate people, who, having no chance in any other profession, are only too glad to go on, however slowly, by seniority. I can mention the case of Mr. Herbert, who was assassinated at Athens, and I think everybody who read his letters will have formed some sort of idea of how valuable a life his was. I considered him one of the very best men in the service. The last conversation that I had with him was on this very subject, and that is why I mention him. He described the perfect hopelessness of going on with the profession, and told me that it was his intention to leave it. The following is the proposal which I thought of: a high test examination, principally in subjects chosen by the candidates and connected with the countries in which the individuals had been employed, to which all unpaid attachés and second and third secretaries might voluntary offer themselves within the next two years; those who passed that examination should be placed at the head of the list of second secretaries, and receive an additional gratuity; those who did not pass it, or did not present themselves, would then have the option of remaining where they were or leaving the service with a fair compensation; that is, of course, upon the assumption that some such general plan as that which I have proposed for the reorganisation of the service, of a high test examination instead of a low entrance examination, should be adopted.

4496. That is to say, a test examination in substitution for an entrance examination?—I propose three classes of diplomatic servants, a first, and second, and third class; I wish to have a third class, consisting of unpaid attachés, who would have the right to present themselves for this very high test examination; I think this plan might be, in a modified form, applied at present, viz., to give these men the option of passing such an examination, and thus to place them at the head of the list of second secretaries.

4497. Mr. *Eastwick.*] You would give, I suppose, a certain amount of pension to those who have been in the service, but availed themselves of the option of leaving it?—Yes, and the others who remained would simply find themselves behind the men who had passed the high test examination; you would push those men forward, and the others would have the chance of waiting for what might happen to them, or be allowed to leave the service with fair compensation.

4498. Mr. *W. Cartwright.*] That is an expedient in regard to the present block?—That is an expedient in regard to the present block.

4499. And it would not affect permanently your other scheme?—In no way whatever; it is merely in order to get rid of the agglomeration, and to give a premium to the good men by placing them at the head of the list, and with an additional salary of, say 200 *l.*

4500. Viscount *Barrington.*] Those in the service who had already gone through two examinations would have to go through a third examination, in fact?—Yes.

4501. Mr. *Rylands.*] I understood you to mean that all who chose to go through this examination, and who went through it with credit to themselves, would then get a step which would place them in the line of promotion much higher than the others?—Yes, first for selection for the post of first secretary.

4502. And that those who either did not pass, or did not choose to enter their names for this stiff examination, would be left in a position no doubt of disadvantage, but from which they would have, if they chose, the chance of relieving themselves by retiring from the service on some commutation?—I think with a considerable compensation, because it is the House of Commons that has produced the seniority system, and I think the House of Commons ought to pay those who have entered it on the faith of this recommendation of theirs.

4503. Mr. *Eastwick.*] You would estimate their pension according to their length of service?—Yes; I do not know upon what principle it would be done, but I believe that has been done in the army and navy.

4504. Mr. *W. Cartwright,*] Those who passed the examination would, as a reward, receive a bonus?—A bonus of some 200 *l.* or 300 *l.* a year, whatever it might be, which would give them a fair salary, which they at present are not receiving.

4505. Viscount *Barrington.*] I understand you to have the greatest possible faith in the amount of responsibility which, under your plan, would be placed in the Foreign Secretary?—Yes.

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4506. Why could not the Foreign Secretary now select the best men?—Because I think it would be an invidious thing for him to do. I should, however, be perfectly happy to see it done.

4507. But surely it would be rather unjust, considering that the diplomatic service is now a profession, and that gentlemen who entered it under certain conditions, namely, that there was to be a first and a second examination, if, having gone through that second examination, they found themselves all of a sudden called upon to pass a third?—The injustice already exists, because the State has entered into a contract which it cannot fulfill. I wish to restrict the injustice to the inefficient men, and to diminish this injustice as regards these men by a large compensation. Of course the examination I propose would be entirely voluntary.

4508. As I understand it, if they objected to pass this third examination, then they would be eliminated from the service?—No, they would only find themselves behind those who had passed it.

4509. But with very little chance of future promotion?—With very little chance of future promotion, certainly.

4510. Mr. *Rylands.*] They have not much chance now, have they?—They have very little chance now. The difficulty is that you have got this block, and if the blocks lasts I can positively predict that the good men will leave it, and that the bad men will be left in; that is a thing of which you may be perfectly certain.

4511. Mr. *W. Cartwright.*] Your plan would be an incentive, and a means to push the good men on at once?—Yes.

4512. And to get rid of the inferior men at a fair compensation?—Yes.

4513. Mr. *Rylands.*] And you would propose, after this arrangement, which you recommend merely as one of an extremely exceptional character, that it should be understood that all promotion should be by merit, and that this system of seniority should be entirely done away with?—Yes.

4514. Then comes in your plan for the general service; that you would introduce under certain conditions, persons into the service, and give them to understand that their promotion would depend on their efficiency; the effect of that, you believe, would be, that in future bad men would go out of the service and good men would remain in?—Yes. I will furnish the Committee afterwards with my scheme, in writing, that they may have it more clearly before them. The paper I have written relates to the block, as caused by permanent defects in the constitution of the service, and also to the block as arising from temporary and accidental causes. I have already read the second part of it; but I should add to this proposal of an examination, that I would grant larger pensions than they would be otherwise entitled to to some of the older servants in the various categories. I should also say, that if any missions are abolished (which I absolutely deprecate myself) I would consider it better not to abolish them altogether, but to change them into chargés d'affairesships, which would relieve the block quicker than anything else, because the chargé d'affairesship would be the reward of a secretary of embassy.

4515. Mr. *Cameron.*] Did you mention what sort of an examination this should be?—As regards this particular examination which I have suggested, I think the course which one would wish to adopt would be to examine the men in what they already knew; they would themselves submit what they would like to be examined in; a man like Mr. Mitford, for instance, might be examined as regards Japan.

4516. Might it not be possible, in that case, that they would all pass the examination, and you would be as badly off as ever?—I should be very glad indeed if I saw any chance of that. I am supposing a very high standard of examination; that was what I described the last time, that I wished to see an excessively high test examination.

4517. Mr. *Eastwick.*] Might you not attain your object by offering a pension to those who choose to take it, without this examination, because it seems rather an unjust thing after a man has been subjected to the necessity of two examinations to make him go through this third one; and if you offered a pension you would get rid of a number of men who do not see their way to get on in the service, and leave the best men in?—My fear is the reverse, that if you offered a good premium the good men would take it, because with that they would at once start in private life, and the bad men would remain in the service.

4518. Mr. *Cameron.*] Would not the service have any attractions for these men if they felt that the block would be done away with?—If they saw their way to the block being removed it would.

4519. Are you aware that something of that kind has been suggested by Mr. Eastwick with reference to the Indian Army?—No.

4520. Mr. *Rylands.*] You would not, I imagine, at all suppose that it would be a wise way of getting rid of this difficulty to pay people to go out of the service, and take no step in reference to the future introduction of people into the service; supposing the present system continued, the mere fact of getting people to retire from the service now by paying them money would in no way assist the difficulty, because we should have a similar block in the course of a few years?—Yes, I think that would be the case.

4521. You were making a distinction between the diplomatic service and other public services in consequence of the limited number of members of the diplomatic service, and saying that it was difficult to treat it with reference to promotion as an ordinary profession; I think there was some difficulty you thought arising from the narrowness of the service; do you think that it would be at all relieved if there were a greater amalgamation between the diplomatic service and the Foreign Office, so as to secure promotion from one to the other?—That would leave the thing quite where it is; I think it is desirable for its own sake, but I do not see that it would open up any new posts.

4522. Then with regard to the greater amalgamation between the Foreign Office and the diplomatic service, would you suggest that there should be different ranks in regard to position and pay corresponding in the two services; that is to say, that a second secretary abroad should rank with a clerk of a certain standing in the Foreign Office, and that a first secretary abroad should also rank with a clerk of a higher standing in the Foreign Office?—I believe that they already do so.

4523. I believe

523. I believe they do so up to a certain nt, but not all through; you are not aware of t?—I am not aware of that.

524. But I understood your opinion to be , that with such an amalgamation the Foreign retary, if he thought fit, could bring from one he legations abroad some exceedingly suitable er and place him at the head of one of the rtments at home as senior clerk?—I do not at all to propose any cut-and-dried system, use I am not acquainted with the work of the eign Office, but I only meant to say that I ght it desirable that the persons employed in Foreign Office should be personally ac- inted with the work of the diplomatic service, that persons in the diplomatic service should personally acquainted with the work of the eign Office. I think that some scheme might asily arranged, but I cannot propose such a me myself.

525. Assuming that it is the fact, as seems to the case from the Foreign Office arrange- nts, that certain countries are distributed er certain departments to which certain senior ks especially are applied, I understood your ion not to go further than this, that it would n advantage if those senior clerks attached hose departments had had personal experience he countries over which they have to exercise ain power?—I meant to give that rather as nstance of the kind of amalgamation that I ld desire; I did not mean that when a person appointed senior clerk, he should be sent ad to a mission, but if some scheme were pted by which a fifth of every diplomatic at's time was spent in the Foreign Office, and th of the time of every person employed in Foreign Office was spent abroad, then what ld naturally happen would be that the heads epartments would have personal acquaintance so much with the diplomatic service as with countries coming under their immediate cog- nce, and that I thought would give to those ons a far higher interest in the work than y can derive from the mere abstract knowledge ch they obtain by reading despatches. I laid ress upon the advisability of such a system g carried out, principally in order that we are abroad should be under more efficient trol in regard to a great deal of the informa- which we send home, and which can be more iently controlled by a person personally ac- inted with the facts of the case, than by one is not. But there is another side of it which ink, is equally strong: the larger missions really small Foreign Offices; I mean that the sion at Paris and the mission at Berlin, and mission at Vienna are departments in which ry considerable amount of official and routine k is done. That work can only be done pro- y upon a system, and I believe that no office s its work better than the Foreign Office; to have a person coming from the Foreign ce and putting the whole of one of these mis- s in working order would be a very great antage. I was myself in charge of the mis- at Berlin for eight years, and I felt con- tly the want of that sort of knowledge in ting the work done in a shipshape way.

526. Perhaps you are aware that there is a e objection on the part of the Foreign Office ring in junior secretaries from foreign lega- s into the Foreign Office?—I believe I have rd that there was an objection.

4527. But you cannot tell us whether that arises from the fact that the Foreign Office finds that the training of those young gentlemen in foreign legations is not equal to the training which the clerks in the Foreign Office obtain?—They have not the drill, and they have not the discipline, and I think it would be a good thing that the persons employed abroad should have that drill and that discipline which they would get in the Foreign Office, and which it is difficult to get except in a large office where there is a large accumulation of administrative skill.

4528. You consider that by adopting such a plan, on the one hand foreign legations would get an advantage from the greater business regularity of the *employés*, and on the other hand the Foreign Office would get the advantage of the knowledge and experience of men abroad?—Yes, they would have the interest arising from personal knowledge.

4529. But in your remarks I did not in any way understand you to refer to the Under Secretaries of State; you did not at all think it was necessary that they should have served abroad?—I never mentioned them.

4530. You told us that the consul at Frankfort, and yourself at Darmstadt, worked with very great mutual advantage together?—Yes; we do each other's notarial work when one is away.

4531. Is there any other consular work that you do on behalf of the consul at Frankfort?—No.

4532. It is simply notarial work?—It is merely the notarial work when he is away.

4533. Do you see any disadvantage or difficulty in the consulates being attached to missions in capitals where there are at the present moment missions as well as consulates?—You mean that the minister should do the work which a consul does?

4534. That is to say, that in the mission there should be one of the members of the mission who should attend to consular work, so as to save the expenditure of two establishments?—That is actually done. I am not aware of any paid consulships, except perhaps at Constantinople, in towns where there are ministers. At all events, with regard to Vienna and Berlin, there is a consul general at Berlin who receives no pay, and there is a consul at Vienna who receives no pay; but the notarial work, which is done by a consul, is, in towns where there are missions, always done by the missions.

4535. But in Lisbon, Stockholm, Copenhagen, and other places, there are consulates as well as missions?—I was not aware of that.

4536. I merely wanted to ask you whether you saw any objection to the consulates being attached to the missions in such cases, and I gather that you do not?—The work of a consul at a seaport is a very special sort of work, with which I am not acquainted.

4537. With regard to notarial duties, do you receive the notarial fees?—No.

4538. Do not you even receive them on account of the consul?—No; all the notarial work which is done at the missions is done gratis.

4539. Do you see any reason why that should be so?—I should be very sorry to take half-a-crown from a gentleman who came to be sworn by me.

4540. The consuls do that, do they not?—

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There is a difference between the status of a representative of the Crown, and that of a person not a representative of the Crown.

5441. Would not a consul general superintend the taking of the fees in any way?—He might; but he is not a diplomatic agent.

4542. You think that, on the whole, it would not comport with the position of a diplomatic agent to take fees?—No; I think that any work of that sort which is done by a mission should be done gratis; we are paid for political work, and we can do the other work, but we ought not to take money for it.

4543. Mr. *Kinnaird.*] You often do that other work?—Yes; I have plenty of it, because there is no other diplomatic centre near Frankfort; and when the consul is away from Frankfort, I am obliged to remain at home so many hours to attend to his duties.

4544. When you object to taking fees, you are not talking of any personal feeling, but of the profession?—Yes; ordinary notarial work is unpaid.

4545. It probably would destroy the prestige of the diplomatic service if fees were received?—Yes.

4546. Mr. *Rylands.*] I quite understood that you did not raise any personal objection; but still, in reference to passports, and things of that kind, the agents of other foreign governments do take fees, do they not?—Yes; I believe they do.

4547. Do you see any objection to having half-a-crown paid for a *visé*, or a shilling with a passport?—We have never taken such fees, as far as I am aware.

4548. With regard to political agencies, I think that you made a complaint that political agencies purely of a diplomatic character were not given to members of the diplomatic service?—I did not wish to make a complaint; but I was asked a question in regard to the amalgamation of the consular and diplomatic services, and I said I thought it was exceedingly advisable that consulships which have a political character should be filled by men who have had a diplomatic training; and therefore I would amalgamate them with the diplomatic service, but I would keep the others apart.

4549. I think that you alluded to Egypt, and one or two other cases, and said that our representatives in those countries should form part of the diplomatic system?—I think so; they should have had the training which is had by being a secretary at an embassy or a great mission.

4550. I see that the political agent at Alexandria is Colonel Edward Stanton, R.E., C.B., who has passed through a career in the Royal Engineers, I have no doubt with very great credit, through different ranks until he became a lieutenant colonel in January 1868, and has served in the army abroad with great distinction; do you think that the sort of training that would fit a man for such a post?—I believe that Colonel Stanton is a very good diplomatic agent.

4551. But do you think that fighting at Inkermann and going through a very honourable career as colonel in the army is a good training for a diplomatic agent?—I believe the case of Colonel Stanton was this, that he was at Warsaw, and we always have had a military agent there.

4552. But Alexandria is a very different place; the fact is that a military man was appointed to Warsaw, that he was then sent from Warsaw as a political agent to Alexandria, but which I pr sume is a better appointment, and that th another military man was appointed to Warsaw —What I have laid down as my princip is that the foreign minister should have eve latitude left to him for appointing whoever thinks will do the work best.

4553. Viscount *Barrington.*] In regard military work, I believe that a great many our troops pass through Egypt to India?—Th would be an excellent reason for appointi Colonel Stanton to Alexandria.

4554. Mr. *Rylands.*] In reference to yo opinion with regard to the relative effect of chargé d'affaires and an ambassador I understo you to say that the representative of this count as an ambassador, naturally had greater weig upon foreign courts than as a mere char d'affaires?—Certainly.

4555. But that would not at all lead you think that it would be desirable to place a man very high rank at a very small court?—Ce tainly not. There are two great functions diplomacy; the one is negotiating great and i portant matters, and for that sort of work y cannot have a man of too high position; you r quire a statesman, and statesmen are rare and e ceptional men, and must be taken wherever y can find them. The other is keeping the Gover ment informed of everything that a Governme like that of England ought to know, which inclu a very vast number of subjects. Of course whe the question is merely one of keeping up dip matic relations with a small state, you send a m of less status than you do to a great post. T law administered by a county court judge the same as the law administered by the Lo Chancellor; but you would hardly change t Lord Chancellor into a county court judge.

4556. Do not you think that in the small cou it would be sufficient to have a chargé d'affai with an understanding that a minister would appointed on any important occasions; I allu to an answer that you gave as to the feeling th these smaller courts have, and their anxiety th we should pay them the compliment of accred ing a minister there: but if it were understo that we should occasionally send a minister in t event of any important circumstance arising, you not think that a chargé d'affaires would sufficient?—In some circumstances a cha d'affaires would be sufficient.

4557. Mr. *A. Russell.*] You would not li the English agent to be lower in position th those of other powers, I presume?—No, c tainly not; that is the general rule that we sho abide by, and I do not see why we need m ourselves smaller than we are. We know the fa of the frog who tried to become an ox, bu never heard of an ox who tried to shrink hims down to the dimensions of a frog.

4558. Mr. *Rylands.*] When a country has i portant interests to negotiate, then it requires important representation, but it does not foll that because France, in some small Gern court, has a very great representation, therefo we should have one, does it?—No; I think t that is a question which must be decided, every such case must be decided, upon its o merits; I do not think that you can make absolute rule.

4559. You would not say that because a reign power had a representative of a cert rank in a foreign court, therefore we sho necessa

cessarily have one of the same rank?—Not as absolute rule.

4560. Mr. *W. Cartwright.*] As a general rule, u would not put the English representative on a lower footing than those of other coun-es?—As a general rule, I would not.

4561. You would leave particular cases to be dged on their own merits?—Yes; I would not ve a minister where other nations have an bassador; of course, that applies to the great sts

4562. Mr. *Rylands.*] The cost of representa-n to which you have made allusion, I suppose very much increased by the fact that our nisters abroad have to receive people from this untry?—Yes.

4563. And they give entertainments to people this country of different characters?—It is ry difficult not to do so, to a certain extent.

4564. Persons come to them from this country th letters of introduction, which almost neces-ate their entertaining them?—They bring, or ther used to bring, for I believe the custom is t now what it was, what were called soup kets, letters of introduction from the Foreign ffice, which were, in fact, bills drawn upon the cket of the individual diplomatic agent.

4565. Naturally people who are in the habit making use of these "soup tickets" would be clined to support the system under which they tain the soup tickets?—I do not think one can y that there is much influence of this kind at ork. The really important thing with regard representation is this, that there is a certain nount of official international hospitality granted a diplomatic agent in virtue of his representing e British Crown and the English nation, and at this hospitality must be returned not neces-rily with ostentation, but still on a sufficient ale to acknowledge it, and if it is not done it oks as if the British nation received courtesies hich it did not reciprocate.

4566. Then you put it more as a matter of eling than of any advantage which would arise relation to the position of Great Britain with her powers?—Well, I explained in my evidence e other day that a great deal of that social urtesy, which depends to a great extent upon e social status of the person, is required in der to acknowledge not only courtesies, but tual work done for you, by numbers of people th official and non-official. I was mentioning e case of reports, like the reports on land nure, with regard to which the only way in hich I have been able to acknowledge hard ork done by many individuals of different asses has been to ask them to my house. here is another point which is important, mely, that in questions of this kind a great al of the very best information can only be tained in that way. If you want to know the eling of a country, in regard to the tenure of nd or any question like that, you cannot go to ne individual here and another there and sub-it him to cross-examination, but having them out you, you start the topic and you hear hat they say on all sides, and you get to have a erception of the existing state of opinion upon y given subject. You cannot do any work, ther in diplomacy or anything else, without king in the social element.

4567. Still you would say that a great deal of e usefulness of that sort of intermingling of ciety, the facility to obtain information, will depend very much upon the character of our representative?—Yes.

4568. The mere fact of spending money in that way does not necessarily do good unless there is advantage taken of it by representatives abroad in obtaining information?—That is so.

4569. Mr. *W. Cartwright.*] That kind of intercourse is not confined to our representatives?—It is universal.

4570. There are allowances for that made to the representatives of other countries which do not appear in the published salaries, are there not?—There are, as far as I am aware, *frais de représentation* which differ largely, and which do not figure in the returns given. As regards France (and other nations, I believe, too), as far as I know, the *frais de représentation* are a distinct thing which depends often on the express will of the sovereign. In the case of countries like Prussia and Russia, it is often the sovereign who decides that on such and such an occasion so much money shall be given.

4571. Then they are indefinite gratuities?—They are indefinite gratuities, so far as I know.

4572. Whereas in our service there is nothing of the kind?—There is absolutely nothing of the kind. Every now and then, upon a great occasion, some extra sum will be given as on the occasion of the Prince of Wales's marriage; but then that figures in the returns made to the House.

4573. Viscount *Barrington.*] Certain sums go down to what are called extraordinaries, but that has nothing to do with the *frais de représentation* to which you have alluded?—No, the extraordinaries are under definite heads; the *frais de représentation* do not come under those heads. When grants are made (which is very rarely done) in our service, they are made on special occasions, and figure specially in the Estimates.

4574. Mr. *W. Lowther.*] Have you found, during your long residence in Germany, that information often crops up at small courts which you do not obtain at a big court?—Certainly.

4575. Your pay, I think, is 700*l.* a year at Darmstadt?—Yes.

4576. Do you find that enough?—No, I cannot say that I do.

4577. You are only secretary of legation?—I am secretary of legation in the British service; but I am recognised internationally at Darmstadt as chargé d'affaires, because I was accredited by a letter from the English Foreign Minister to the Hessian Foreign Minister, which is the definition given at Congress, Vienna, of a chargé d'affaires.

4578. A secretary of embassy would get 1,000*l.* a year?—I believe most of them have 1,000*l.* a year. With regard to my position, of course by whatever name you call the English representative abroad, if he is the only representative, he is considered by the country as representing the English Government, and those hospitalities are given to him that in the case of a mission would be returned by the head of the mission; and which, of course, wherever there is an independent agent must be returned by him. I think that 1,000*l.* a year ought to be the least that is given to persons who have an independent position.

4579. Mr. *Otway.*] What is your common style; what are you commonly called at Darmstadt?—I am always called chargé d'affaires.

4580. Are you not called in the place the English

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English minister?—Yes; I am usually called your excellency; I try very hard to avoid it.

4581. And your house the English embassy?—Yes; I wish I could make my tradesmen understand the difference.

4582. Mr. *W. Lowther.*] There are more claims upon you, with your 700*l.* a year at Darmstadt, than there are upon a secretary of embassy with 1,000*l.* a year?—Certainly; because however humbly or modestly one does it, there are certain representative functions which are perfectly unavoidable. And then there is another point, that is, that assistance has to be given to English subjects.

4583. Pecuniary assistance?—Yes.

4584. Relieving people in distress?—Yes. There has been a circular sent to us saying that in certain cases we can now get that refunded by the Government, which is an innovation; but the cases that I have to relieve are usually cases which one feels are cases of swindlers, which one could not send home, but which somehow one cannot get rid of, so that they become charges on one's private purse.

4585. I think you said that a thorough absolute and complete knowledge of diplomacy was necessary for a minister at a foreign court; do you consider that the public service suffers by the employment of outsiders; do you consider that they have that thorough, absolute, and complete knowledge that is necessary?—That would depend entirely upon the outsider and upon the dry nurse that was given to him. Making a great distinction between the actual work of negotiation and the work of collecting information, I should say that where you come to the work of negotiation the qualities that you require are those of a statesman. Well, if you can get the right man for that work, I think you must take him wherever you can find him, and I should be very sorry to see any system adopted that excluded the possibility of taking in outsiders. I should be sorry to see the service one altogether professional, or one altogether consisting of outsiders, with people assisting them who had been abroad; but I think you cannot exclude the question of outsiders. Take a case like that of a man who has been Governor in Canada; he might be just the very man that you wanted at Washington; or the man who had been Viceroy in India might be the very man you wanted at St. Petersburg. I do not think that you can limit the choice of the Foreign Secretary.

4586. Did I understand you right with regard to the contract; I understood you to say that since 1861 the Government here, as it were, has entered into a contract with people who enter diplomacy?—Yes.

4587. They exact from them an examination, they exact from them a qualification and second examination, and though the diplomats are obliged to fulfil the stipulations of the contract, the Government absolves itself in the course of time?—Except that the Government has very honestly worked the system of seniority ever since 1861, as far as I have been able to make out. The contract consists in this, that the moment a man has passed his first examination he knows that at the end of four years he will have a commission, and after he has got a commission he is a covenanted public servant.

4588. I believe secretaries of legation are now allowed to travel about in that country to which they are accredited in order to make reports; does your experience tell you that they avai themselves of that privilege of travelling about —Certainly, in many cases; if they have report to make they must travel about. It depend upon the reports, but I do not know how fa that has been done.

4589. They have to ask permission from th Foreign Office to go upon a tour during whic they can make the report; do you know of an instances of their doing so?—No; I have bee five years away from any great mission.

4590. Your opinion decidedly is, that tele graphing increases the public business?—Tele graphing increases the public business, an necessitates a very high form of profession training.

4591. Mr. Rylands asked you whether yo could not, in certain cases, have the consula office attached to the legation; where could yo put the consul who was to do the work at Frank fort?—You could not possibly do without consul at Frankfort. But I understood M Rylands to ask only in regard to those missio where there was a minister and a consul, wheth you could not give the work of the consul to th legation; I think that you certainly can wit regard to the work, which is merely of a notari kind. Whether you could do it in a seaport what I cannot answer, because I do not kno the work of a seaport.

4592. I observe, on looking to the repor from Her Majesty's representatives abroad, th you did not report upon the diplomatic servi yourself?—No, I did not; I was entirely take up with the land tenure, and Hesse Darmsta hardly seemed to me to be of sufficient impor ance for me to make the report you allude to.

4593. Viscount *Barrington.*] In regard Darmstadt, a question was put to you by th honourable Member for Warrington which y did not answer; I think you are solely in char at Darmstadt?—I am solely in charge at Darm tadt.

4594. With regard to superintending Darm tadt, Carlsruhe, and Stuttgardt, I suppose if y had a sufficient staff you would consider yours able to do that?—As regards sending informatio and keeping the Government informed of t political changes that were going on, I dares one man could do that, with a sufficient staff.

4595. Which sufficient staff would create very considerable additional expense, naturall —I think, as regards that sort of work, one m man would be sufficient; I think that it co be worked by a chargé d'affaires and a secreta if that was the only work required. But th of course, you could not do the notarial wo necessary at Stuttgardt, and there would be, u doubtedly, a sort of slight and slur upon t Stuttgardt Government if you withdrew diplomatic representation from, after all, an dependent kingdom.

4596. But at the same time I understand th they have no representative here?—They ha no representative here.

4597. *Chairman.*] Is Stuttgardt at all a cen of German thought or action, politically or oth wise?—It is a very great centre of politi action. It represents the Suabian eleme which is one of the most important elements Germany. The Suabian democracy, the peo who desire a sort of cantonal federation, mostly in Wurtemberg.

4598. Th

4598. Then it is important that we should ...e eyes and ears there?—Yes.

4599. Is Darmstadt upon any of the great ...es of traffic?—It is exactly the centre of the ...s between north and south, east and west; ... great lines of railway cross each other there; ...s the centre of Europe as regards railway ...mmunication.

4600. As regards British subjects, do they often ...ly to you for advice or assistance?—I have a ...ain number of people who lose their money ... Homburg and Wisbaden, and who think I ...ght to pay their journey back to England if ...y engage not to play again; and I get a great ...ny cases of English workmen and English ...hanics, who either have been employed, or ... going to be employed. Many of them are ...ployed at Mayence, and Worms, and Offen...h, and those centres, and they come for advice ...l to be got out of difficulties; and people of ...t sort derive an immense advantage from an ...glish agent, because usually they are ignorant ... the laws of the country, and there is some...ng that can be arranged in a few minutes, ...ich without that assistance would cause them ...s of time and money.

4601. There is, in fact, a general demand ...n your good offices of that kind?—Yes, a ...y fluctuating demand, but sometimes a con...erable one.

4602. Mr. *Otway.*] At Stuttgardt there is a ...ge English community, is there not?—There ... large English community at Stuttgardt.

4603. Mr. *Eastwick.*] Has the Foreign Office ...y knowledge of the number of English resi...nts in Germany?—No, I should think not.

4604. Do you think that it would be a difficult ...ng to obtain that?—It fluctuates very much. ... Darmstadt the congregation is about 80.

4605. Would there be any difficulty in send...g a yearly report on that?—It could be very ...sily done, I should think, an approximative ...port.

4606. Mr. *Rylands.*] With reference to the ...estion of expense, supposing that Stuttgardt, ...den, and Darmstadt, were all worked from one ...ace, it would be a matter of consideration where ...at head should be placed; supposing that were ...ne, there would be a very considerable reduc...n of expenditure as compared with the present ...penditure, if those three places were worked ... one head, with just the additional staff of one ...cretary, probably?—There would be certainly ... diminution of expenditure; but there would ... an increase of the block.

4607. But leaving out the question of the ...ock, there would be a diminution in expendi...re?—There would be diminution in the expen...ture.

4608. And in regard to two of the places, that ...to say the places where no mission was placed, ...y notarial acts of the character that might be ...quired could be done by a vice consul, I pre...me?—Any person who had a consular character ...uld do that.

4609. But as far as the great object, which ...ou state is to be borne in mind, in relation to ...ermany, as regards that district, I quite under...ood you to say that one head would be sufficient to obtain the information?—I did not wish to express myself very strongly on the subject. If I am asked whether I believe that one person could keep Her Majesty's Government informed of the political changes that are going on, I think that in some respects that could be done by one person. That the amount of diplomatic and representative work now being done can be done by one person is what I should be sorry to affirm.

4610. Mr. *Eastwick.*] In regard to languages; do you think it absolutely necessary that a man should know German for the purpose of being employed there, or that he could not transact his business in French?—A knowledge of German is absolutely necessary.

4611. And do you think that, generally speaking, the officers are well up in the language?—Yes.

4612. Mr. *W. Cartwright.*] There is this peculiarity about Darmstadt, that it is partly in the North German Confederation and partly out of it?—Yes.

4613. So that probably there would be some political difficulty about placing the whole of Darmstadt and the whole of the South German missions under the control of a person resident at Stuttgardt, which is exclusively out of the North German Confederation?—I am not so sure of that; because there is the case of two or three missions that have no representatives among them; for instance, Wurtemberg is represented by a chargé d'affaires who lives at Carlesruhe, and is accredited to Darmstadt, and goes there occasionally.

4614. *Chairman.*] Is there anything further that you wish to state?—In answer to Question 4378, which Mr. Rylands put to me with regard to a "canard" in 1859, I stated then that I could not recollect what the "canard" was to which I alluded. It was an account published in the "Times," of two treaties which had been concluded between Russia and France, engaging Russia to attack Austria. A fortnight after France had invaded Piedmont. That was in the "Times" of the 30th of April 1859, and this announcement created a panic of a very dangerous kind. I only gave that as an instance of information published in the newspapers, to correct which, an official representation was required. Then with regard to Mr. Eastwick's question, No. 4396, I did not quite understand the question; I thought he was referring merely to the diplomatic agents abroad meddling with the press. What I wished to say was, that I considered that a diplomatic agent abroad should keep as clear of the foreign press as possible, except as far as correcting actual false information went, and that in that case I thought the best plan was for him to address himself to the Government, to state what the mistake was, and to request the Government in their own organs to correct that mistake. I am not alluding to anything that takes place in the British diplomatic service; but there is a great tendency among foreign diplomatists to get themselves "*en relation*" with the press of the country to which they are accredited, to get themselves puffed by that press, and while believing that they can wield that press for their own purposes, imperceptibly to become its servants.

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4615. Mr. *Rylands.*] I THINK you were appointed as attaché at Washington in 1854?—Yes.

4616. With regard to the appointments which you have held in the diplomatic service, subsequently to your appointment in 1854, I find that you were transferred to Munich, 28th December 1855; to Stockholm in 1857; to Frankfort, 6th November 1858; to St. Petersburg, 23rd August 1860; and to Dresden, 4th November 1862; you were appointed a third secretary in Her Majesty's diplomatic service, 17th November 1862; and were transferred to Constantinople as a second secretary, 3rd February 1863, and resigned 27th July 1864?—Yes.

4617–18. Then you have had a considerable amount of experience in the working of foreign missions?—Yes, I have been at a great many posts.

4619. With reference, in the first place, to the entrance into the service, are you prepared to express any opinion as to whether it would be desirable that there should be a system of competition in connection with the appointments to the diplomatic service?—As long as you have the present system under which attachés or secretaries are required to go into society, you have certain social requirements which are necessary and which would render it very difficult to gain what you want by a competitive examination; but then it may be a question whether you do really want these social requirements in order that the work of the country may be done.

4620. You are aware that, with regard to the present juniors in the diplomatic service, in many cases there is not any going into society?—There is very little going into society.

4621. Taking a man of very good education and mental training, who has passed through a competitive examination, and in the course of a certain number of years residing abroad has gradually advanced in the diplomatic profession, do you not think that by the time he got to be secretary of legation he would be perfectly well fitted to mix in society abroad?—I think that within about six months, as a general rule, he would be able to mix in society abroad. Of course he has to pass an examination, and if it be a general one, and from passing it, it is evident that he has a certain amount of education. Therefore it appears to me that there is no real reason why there should not be a competitive examination.

4622. Of course we may assume from his passing such an examination, that he would be a man of very considerable intellectual acquirements and training, and you do not see from your experience in the diplomatic service that there would be any public disadvantage arising from that, I presume?—Providing that the examination showed that he had had a liberal education.

4623. You would expect that that would sufficiently prepare him for the position that he would occupy in the service?—Certainly.

4624. As to the experience that you have had of different missions, it seems that you have been both at large and at small missions?—Yes.

4625. And therefore you have had some opportunity of judging of the work both in large and in small missions?—Yes.

4626. I see that you were at St. Petersburg in 1860, and remained there for about two years—Not quite so long.

4627. I wish to ask you in reference to St. Petersburg whether you consider that the staff in the embassy at St. Petersburg is too large?—I do not know what the staff is now; when I was there the staff was certainly too large for the work required.

4628. I will tell you what the staff is now at St. Petersburg; the staff at St. Petersburg consists of the ambassador extraordinary, a secretary of embassy, and three secretaries of legation, and, I presume, that there would be also one or two attachés; is that staff too large, in your opinion?—It depends upon how much work it is considered that a second or a third secretary ought to do. I suppose that if the first secretary of embassy, and if two other secretaries (call them second or third secretaries, whatever you like), were to do, say, four hours' work a day there certainly would not be required any further staff; and also you might, as a general rule, do it with the first secretary of embassy, providing he works, and one under secretary, so that one of the staff might be always away on leave.

4629. I need scarcely ask you this: if there were a dozen under secretaries of legation, if they all did little enough work, they might all be held to be employed upon the staff?—Yes.

4630. But your judgment is, that if a fair measure of work, regular work, were obtained from the juniors in the office, a smaller number of them might do the work which is required?—You might take it, that perhaps there would be on the average three despatches written every day, some of perhaps eight pages; that there would be three or four times a communication to the Russian Government, and every week perhaps three despatches written to some consul in Russia; and I think that the ambassador writing the drafts, with a secretary of embassy and two second secretaries to copy them, could very well do that work.

4631. Then, in fact, so far as your judgment goes, the staff might be reduced there?—Undoubtedly.

4632. With regard to the position of the members of the diplomatic service in Russia, can you give us information as to the cost of living of an attaché, or junior second or third secretary in Russia?—If they were to live as at present attachés usually do live, they would have to have a carriage, because everyone of the corps diplomatic does, and the distances are very great, and I should say they could not live on less than 800*l.* a year. But then they need not necessarily live in that way; that is going into society. If they were simply to take a room and go to the chancellerie, as a clerk here at Somerset House, or in the Foreign Office, does it would be a third dearer than it is here. I do not suppose that it would cost the Russian more than it does here; but putting it a third more for a stranger, it would not be above that.

4633. You do not see, from your experience there, that there is any reason why the second and third secretaries should not abstain from going into society?—I consider that whether they go into society or not is a matter for themselves; if they have a private fortune, and want to

hey can do so, but the country does not gain t.

634. You do not think that we are justified iving them a higher salary merely for any ntage which we derive as a country from going into society?—Certainly not.

635. With regard to the working of the staff t. Petersburg, I should like to ask you a tion with respect to each of the members; will take first of all the secretary of embassy, t does he do?—The secretary of embassy, n I was there, did nothing. It is an under- d thing, and I think Mr. Hammond stated as an understood thing, that a secretary mbassy should not work in the chancellerie; occasionally do work, but usually they do He did not when I was there.

636. Mr. *W. Lowther.*] Who was secretary of assy then?—Mr. Lumley.

637. Mr. *Rylands.*] Is it the fact that the etary of embassy has this position, that he is e as a sort of relay; when the ambassador is ent he does nothing, and when the ambassa- is away he takes the position of the ambassa- as chargé d'affaires?—I think that is under- d by the Foreign Office; but very often a etary of embassy, if there is any stress of k, will work if a good many are away on e; but he will do it more as an act of good ure than anything else; he is not required to t by the Foreign Office.

638. Did you see any reason, from your ex- ience, why a secretary of embassy or legation uld not take a share in the work of the chan- y?—Not the least.

639. You do not consider that there is any- ng that should be considered degrading or im- per on the part of a secretary of legation who take his share in the work?—No, because a at many of them do it from choice. For in- nce, when I was at Constantinople, Mr. Erskine d to come and work in the chancellerie.

4640. You have heard the evidence of Mr. rier, who is his own staff, and of course he s to do all the work of his post, and so has Mr. lo Russell at Rome?—Yes.

4641. And you do not see any reason why the retaries of embassy and legation in every ier mission should not equally do work which also performed by the under secretaries?—No, lo not.

4642. And the effect of that would be to lessen e stress on the staff?—Evidently you would quire a smaller staff.

4643. That you had in view, I suppose, amongst ier things, when you said that the staff could reduced?—Yes.

4644. We have heard, in the course of our quiry, very much said about the necessity of eping up very high salaries for ambassadors, d I should like to ask you whether you con- er that the expenditure of our representatives road necessitates the salaries which we give to m, whether they necessarily spend the amount the salary?—It would depend a good deal on the place. In Paris, and in St. Peters- rg, and in Vienna, I should think they did nd their salaries (I am speaking only of am- ssadors); in Berlin the ambassador might nd his salary, but he would not be obliged to so; in Constantinople he certainly would not, d probably does not.

4645. You think that in Constantinople the ambassador does not spend the whole of his salary?—He certainly is not obliged to do it.

4646. There was there, as the embassy house, a very large palace; I suppose you have been the occupant of it?—Yes.

4647. We were told that it takes 20,000 *l.* a year to keep up that palace to live in; do you think that there is any foundation for that idea?—Certainly not. In Constantinople the ambassador has a good many allowances; he, perhaps, keeps one carriage, but it is hardly necessary to do that; he has boats, and goes to see the Minister for Foreign Affairs, and other Ministers, in a boat. These are all paid by a special allowance; the boatman is paid for, and the guard in the embassy is paid for; some of the guard are employed in the embassy itself to clean out the rooms. So that an ambassador at Constantinople, if he has not a wife and family, may do everything requisite on 2,000 *l.* or 3,000 *l.* a year, and put by the rest, and no one would think that he was living under the mark.

4648. Was this palace such a very large place?—Yes, it was a large place.

4649. But not so large as to render necessary anything like the large expenditure which has been supposed to be required?—It would just depend; it requires two more persons, perhaps, to clean out the rooms than if it were an ordinary sized house. Then most of the attachés and secretaries live there, and they have their own servants.

4650. Then, so far as your observation went, you cannot see that this large expenditure which we pay for the support of our representative in Constantinople, who has not only a very high salary, but a very extraordinary amount of extraordinary expenses, is necessary?—No; I should think that in Constantinople a person who fairly does his duty as representing this country, has a better chance of putting by money than anywhere else almost in the diplomatic service.

4651. In reference to the expenditure of ambassadors, perhaps on this point your experience will give us some information; we are told that they are obliged to entertain largely; what classes of people do they entertain?—Well, at Paris they entertain persons who are supposed to be in society, and persons who come from England, whom they probably would know in England, or who have letters of introduction from some friends they do know in England. But in St. Petersburg and in Vienna the society is composed almost exclusively of persons belonging to the court, and these are the persons who are entertained, the court chamberlain and court aides-de-camp, and suchlike people.

4652. Do you consider that the class of people who are entertained at embassies abroad are distinguished rather from their social than from their political positions; take, for instance, any of the great capitals in Europe; do you think that the class of people who are entertained by the ambassadors are people of political importance, or rather people of social importance?—Of course there are some people of political importance, but they are generally people of social importance.

4653. In Paris, for instance, there are certain political sets, people connected with certain political parties, and whose influence and position in connection with those parties are very important; do you think that the entertainments of an ambassador at Paris are directed to bring him into

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contact with the members of all those political parties?—I should think so.

4654. Do you think it is so in the other capitals of Europe?—St. Petersburg and Constantinople were the only embassies I was at. At Constantinople of course there is very little entertaining; but in St. Petersburg they are excessively exclusive, and it would have been impossible to invite any Russian in society (which means in the court) at the same time with any English merchant there, because he practically would not have met him.

4655. There are many leading English merchants in St. Petersburg, are there not?—Yes, a good many.

4656. And is it a fact that a leading English merchant, because he is an English merchant, is practically excluded from the dinner-table of the ambassador on account of the objection of the court society to meet him?—Any person engaged in trade (with the exception, I think, of the court banker) is not admitted at court; and those persons who are admitted at court do not wish to meet them socially in the houses of foreign ministers. Hence, when I was there, the ambassador was obliged to give two different kinds of parties, one party for the Russians another to English residents, but he was quite unable to bring them together.

4657. Mr. *Eastwick.*] Would not that fact increase his expense?—A few candles and ices for an evening party do not cost very much.

4658. Mr. *W. Cartwright.*] You do not mean that the merchants were systematically excluded from the ambassador's house?—No; the merchants were invited, but separately; there was no amalgamation.

4659. Mr. *Rylands.*] Do you think that anything is gained by this hospitality on the part of the ambassador?—Very little, I should think. As he is living there he must entertain to a certain reasonable extent; he has colleagues who ask him to dinner, and he would naturally ask them back; there are a certain number of persons who are in the habit of entertaining him in the town, and he would ask them back; this is necessary, just as a person in London who is in the habit of going out to dinner and is supposed to be well off, is expected to return civilities.

4660. Mr. *Otway.*] Do you really think that the expenditure of an entertainment at Paris would be fairly represented by your description of a few candles and a few ices?—Do you mean a simple reception?

4661. An evening entertainment?—Certainly I do.

4662. You consider that a fair description of the expenditure that is put on the ambassador by an evening entertainment at Paris?—I should say that the fair description would be candles, ices, tea, and coffee.

4663. Mr. *Rylands.*] In the case of Washington, where you were placed, the state of society is a good deal different from that of Paris, and I should like to have your judgment on the entertainment of the British minister there, as to how far it is desirable?—There I think a good deal is gained by it. When I was there Sir John Crampton was the minister, and he was in the habit of giving a large dinner once a week; he invited almost all the senators, a great number of the Lower House, all the ministers of State, and all persons of any political eminence who came to the capital; and that I think was very useful; and, if I remember rightly, he used to give a ba once a year.

4664. With reference to the general work the mission at Washington, from your experien there, have you formed any idea as to the amou of work that they do?—When I was there y had to have a large staff, because the mails on came in once a week, and everything had to done between the time that the boat came in a the time that the boat went out, about 24 or 3 hours, consequently we very often had to wo all night.

4665. You are aware that there are mo frequent means of communication now betwee this country and Washington?—Yes, I believ so; then we had a great deal to do also, becaus a great deal of correspondence went on wit Canada and the governors of Nova Scotia an the other North British Provinces, and also wit the consuls.

4666. In reference to Washington, I gathe that you think that, considering what is done b the British representative there, the salary is n too large and the staff not too large?—The salar is not too large. I happened to be at Washing ton last October, and the cost of living is ce tainly double what it is in England.

4667. In reference to the staff, what do yo say?—There was not too large a staff when was there; I do not know what it is now.

4668. Now the staff consists, in addition t the minister, of a secretary of legation, tw second secretaries, too third secretaries, and naval attaché?—Probably they could do wit one less; when I was there there was a secretar of legation, one paid secretary, and two unpai secretaries, and, as a rule, one or other was awa on leave.

4669. Did you intend your remark in referenc to secretaries of legation to apply equally there —The secretary of legation at Washington use to work in the chancellerie, and he was the sam gentleman who was at St. Petersburg, Mr Lumley, but he worked at Washington, becaus the staff was small, and he did not work at S Petersburg, because there was nothing for hi to do, the staff was so large; he would hav been quite ready to work at St. Petersburg if there had been anything to do.

4670. With reference to the other embassie you have been connected with the staff at Cor stantinople comparatively lately; I should lik to have your opinion, from your knowledge o the work there, whether the staff could hav been reduced?—When I was at Constantinopl I never arrived at the bottom of that staff; never could find out how many there were, ther were so many; there were dragomans, and chie of the chancellerie, and private secretaries, an persons who seemed to be a species of connectin links between the consulates and the embassy but it was difficult to find out how many ther really were.

4671. Mr. *Otway.*] Have you any experienc at all as to Constantinople; were you there an time?—I was there about eight months.

4672. You arrived on the 20th of June, di you not?—No, I arrived before that; I coul not exactly tell you the date, but I know arrived before they went to Therapia, and stopped some time in Constantinople, and the we went on to the summer residence at Therapi where I stopped, if I remember right, prett well through the summer.

4673. Whe

73. When were you appointed?—I will it from the book, February the 3rd, 1863.

74. Had you arrived in Constantinople on 11th of June?—I presume I had, because had not gone up to Therapia by that time.

75. Are you aware that a telegram was sent r Henry Bulwer at that time to inquire why had not arrived on the 11th of June?—No, not aware of that.

76. Are you aware that a telegram was sent ir Henry Storks subsequently to that, to v whether you were at Corfu?—No, because s not at Corfu.

77. Did you never touch at Corfu on your to Constantinople? — Yes, the steamer hed, but I did not land.

78. Had you arrived on the 20th of June? cannot tell you exactly, because I cannot re- ıber. I delayed a certain length of time, use I wanted to see Greece. I arrived e before they went to Therapia, and they go e directly it becomes warm. We stopped some time in Constantinople, and then went down to Therapia.

4679. Your information and mine are inaccurate, I think, as to the point of time: as far as I am informed, you could not have been at Constantinople more than two months, and I think you answered that you had been there eight months?—Well eight months is too long; I reckon thus: that I was a certain length of time at Constantinople before they went down to Therapia, and I stopped on, if I remember right, till August at Therapia. I remember that I was at Constantinople, at the embassy there, before they went down, and then we went down to Therapia. Now as they go down directly it becomes warm, the presumption is that they went before the 20th of June.

4680. Would you like to correct your statement, that you were there eight months?—Yes, I correct that statement.

4681. Mr. *Rylands.*] You were there sufficiently long to enable you to see what was going on at the embassy, and the people employed, I presume?—Certainly.

Monday, 4th July 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. Bouverie.
Sir Henry Lytton Bulwer.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Major General Sir HENRY CRESWICK RAWLINSON, K.C.B., re-called; and further Examined.

Major Gen. Sir *H. C. Rawlinson*, K.C.B.

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4682. Mr. *Eastwick.*] It has been stated in answer to Question 3956, that the progress of Russia in Central Asia tends to throw our relations with Persia, and the questions affecting Persia generally, more and more every day into the pale of European diplomacy, and therefore renders it more and more desirable to keep Persia under the Foreign Office; what is your view with regard to that?—The progress of Russia in Central Asia, and especially the operations which have been now commenced on the eastern shores of the Caspian, seems to me to bear directly upon India, and only to affect England through India. All political relations, therefore, which arise from that advance or are connected with it—the relations with Persia included—become, I conceive, Indian rather than European; I may give the Committee an illustration of what I mean by a reference to matters now in progress. For some years the Indian Government, as is well known, pursued a policy in Central Asia of rigid non-interference, a policy to which the bye-word was attached of "masterly inactivity." Recent events, however, have forced us from this policy of isolation and obliged us to open relations in many new quarters. The Umballah conference and our friendly intercourse with the Court of Cabul, was one of the first results of this change. More recently the Viceroy of India has dispatched a mission for purposes of trade and general amity to the Court of Kashgar; and he now proposes to send an officer to Herat to co-operate with a commissioner from England in arbitrating between the Persians and Affghans in Sistan; and if he should see fit, in the interests of India, to open relations with Kokhand or Bokhara, or Khiva, no one doubts his competence to do so without previous reference to England. In Persia, also, we are showing an awakened interest by undertaking to arbitrate between the Persians and Affghans in Sistan and to superintend the delimitation of a line of frontier in Mekran, and further by resuming the practice, or offering to resume the practice, of furnishing officers from India for the Persian army. All this then shows, I submit, that the tendency of Russian conquest in Central Asia is not only to necessitate an increased activity on the part of the Indian Government, but also to bring our relations with the countries intermediate between Russia and India within the reach of Indian rather than of European diplomacy; and when I make this distinction I would beg to explain to the Committee that I intend a distinction of character rather than of locality. By Indian diplomacy I do not mean the mere local functions of the Foreign Department in Calcutta, but I mean that general view of our Imperial policy which regards the safety, honour, and interests of the British Empire in the East as of fully equal value with the balance of power in Europe. This doctrine, as far as my experience goes, is not recognised, or even understood, at the Foreign Office, but it is recognised and understood and practised at the India Office which agency, therefore, I consider to be most fitting for the conduct of our future relations with Central Asia and Persia.

4683. Then it has also been stated that in case of the transfer being made from the Foreign Office to the India Office of our Persian relations, the Shah might be very much hurt and offended at the transfer: you have had opportunities of knowing, and probably know better than any European officer, the mind of the Shah; have you seen when you were there any symptom of his being hurt at being under the India Office, or do you think that the transfer now would be offensive to him?—I really do not see how a transfer from the Foreign Office to the India Office is to be felt at all in Persia. There can be no change in the relations between Persia and the British Government owing to a transfer of control from the Foreign Office to the India Office. Whilst I was in Persia, partly as Minister from the India Office, and partly as a Minister from the Foreign Office, I never felt or perceived the slightest distinction between the two positions, either at the Court or with the Shah, or with the people of the country in general. I corresponded as Minister under the India Office with Ministers under the Foreign Office at other Courts as one of the diplomatic body, and I conceive it to be quite a mistake to suppose that the diplomatic body is of necessity exclusively under the Foreign Office.

4684. We have, I believe, at Tehran a native staff that corresponds to the dragomans at Constantinople, and some of them have, I think, been connected indirectly with the Indian Government; who were the staff when you were there, may I ask?—When I went to Persia in 1859 I found the senior Persian secretary to be a refugee Affgha-

ghan nobleman with whom I was well acinted personally; he belonged to a noble and ent family in Affghanistan which had been ed owing to its attachment to our cause. er we left the country, all the senior members ne family were plundered, and many of them dered; some of the junior members fled, and ngst them two brothers, the elder of whom ived a pension of 1,200 *l.* a year for life from Indian Government.

385. What is his name?—Ghiás Khan. His ager brother Sultan Khan was at that time the or secretary. He was a well educated young , of very agreeable manners, and I found him ys a most efficient and trustworthy, and, I uld say, a really valuable assistant.

386. *Chairman.*] What has become of him?—ve heard since I left the country that he has dismissed from office, but I am not acinted with the details of the transaction.

387. Mr. *Eastwick.*] That has happened since mission has been under the Foreign Office? es.

388. There was a considerable pension given im?—£. 1,200 a year was originally given he support of the family; but the allowance been increased recently to 1,300 *l.*

389. That was for their distinguished ser-s?—Yes.

390. We have had a return sent us of the ber of letters sent from the India Office to Foreign Office, with reference to matters in ia; it is stated that they work out to about year, of which the greater part relate to graphic questions; this return is up to the 1st of January of the present year: can you give us any information as to the number of letters since that time?—This morning I have asked the secretary at the head of the political department of the India Office to count the number of letters received between the 1st of January 1870 and the 30th of June of the same year, referring to political matters with regard to Persia and the Persian Gulf, and received at the India Office from the Foreign Office; I find that number to be 34, which would give about 70 for the average letters of the year on political matters alone.

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4691. And including the other questions, the telegraph and so on, of course the number would be very much greater?—Very much greater. I may mention further, in connection with this subject, that formerly there no doubt was a disposition—during the period of the prevalence of the non-interference policy—to discourage, as much as possible, all correspondence between Persia and India, and we are in reality paying the penalty of that over caution at present. For instance, in 1863, Her Majesty's Government resolved to adopt a modification—in one important particular—of our position as arbiter under the Treaty of Paris between the Persians and Affghans. This modification was duly notified at the time to the government of Persia, but was not notified to India, and the consequence is that considerable embarrassment is felt at present. Had the affairs of Persia and Affghanistan been under one head at that period, whether that head might be the Foreign Office or the India Office, this cause of embarrassment would not have arisen.

Mr. Henry Du Pre Labouchere, re-called, and further Examined.

392. Mr. *Rylands.*] On the last occasion I d you a question in reference to the staff at stantinople, and I have before me a list of the , to which I will direct your attention: I find , in addition to the ambassador with 8,000 *l.* a and 9,531 *l.* for dragomans, servants' wages, iers, and all other miscellaneous expenses, e is a secretary of embassy with 900 *l.* a year, an Oriental secretary with 600 *l.* a year; I to ask you whether you think that both e officers are necessary?—The Oriental secre- is entirely useless; he has nothing to do e.

393. Then there are four second secretaries, h is an usually large staff: I should like to v whether you think that it is necessary to up four second secretaries in addition to the tary of embassy?—Probably the work could one with a secretary of embassy, and three d or third secretaries.

394. I presume that there would be probably or two attachés in addition to the junior taries?—In fact, a staff consisting of the tary of embassy and four gentlemen, call attachés or second or third secretaries, as please, I should imagine could do the work well.

395. There is also a class of officers, the omans, whose salaries are included in the nt that I mentioned to you just now. Can give me any information as to the employt of the dragomans; there is a chief dragois there not?—There is a chief dragoman, remember right, and two others.

396. Can you tell me the duties of the chief dragoman?—The duties of the chief dragoman and of the other dragomans are much about the same. When one goes with the ambassador to the Sultan of course the others do not go. They were originally employed when correspondence with the Turkish Government was carried on in Turkish; at present all correspondence is carried on in French, and their Secretary of State for Foreign Affairs understands French; consequently the dragomans are not required in any intercourse between the ambassador and the secretary of state, but I believe it is etiquette for the Sultan, whether he does understand or does not understand French, to be supposed not to understand it; and so when he speaks his observations are translated by a dragoman; but that occurs very seldom. That is all the dragomans have to do with the embassy; but there is a consular court there, and they are employed in the consular court. A distinction ought to be made between their diplomatic position and their position as members of this consular court. I cannot speak as to their position in the consular court, though I can speak as to their diplomatic position.

Mr. *Labouchere.*

4697. Do you happen to know whether the chief dragoman goes into the consular court, and does business there?—Yes, the chief dragoman goes there.

4698. Is it not a fact that the dragomans take charge of certain cases, in connection with merchants and others in Constantinople, in those courts?—I presume that they have a very great amount of influence there, and they can bring on a case, or put back a case, when they like.

4699. Did

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4699. Did you ever hear of any of the dragomans there receiving presents, with a view to push on or retard business in any way?—No, I never did. The chief dragoman received a house from the Sultan, but that was allowed by the Foreign Office; but that was the only thing I knew of. Of course there are reports there such as you allude to, but I never heard of anything myself.

4700. You say that the chief dragoman received a house from the Sultan; do you know under what circumstances he received the house?—He received the house as a present from the Sultan.

4701. With the concurrence of the Foreign Office?—With the concurrence of the Foreign Office.

4702. Was it a large house?—Yes; it was a house worth, I suppose, about 20,000 *l.*

4703. How long is it since this present was given to the chief dragoman?—I think it was about two years or one year before I was there. If I remember right, he was living in the house when I was there.

4704. Of course it would be understood that it was a gift from the Sultan, with a view to influence him in some way?—I do not know; I do not presume it was looked upon in that light, because he was permitted to receive it by the Foreign Office, and of course that freed him from all responsibility.

4705. You do not wish to express an opinion on the subject as to what your view is, I suppose, or as to British officers receiving handsome presents of that kind from a foreign Government?—Well, I think it is a bad rule that any of them should be allowed to receive presents; it is against the rule of the Foreign Office.

4706. Now we will leave Constantinople, and I will take you, if you please, to one of the small legations. You were at Munich, Stockholm, and Dresden, I think?—And at Frankfort.

4707. As to Munich, I should like to have your opinion as to whether there is any object in keeping up the legation at Munich?—Well, certainly, in a political sense, I did not see that there was any very great object in keeping up the legation: when I was there, there was no business of any political importance. So little was there to do, that the minister for eight months in the year resided in a country house about 60 or 70 miles from the capital. He used to come in once every month, when the Queen's messenger came there, and if there was any despatch to be replied to, he replied to it.

4708. Practically there was little or nothing at Munich for the minister to do?—Little or nothing. When I was there, I remember that the minister wrote a good deal about the state of Greece, and the Foreign Office wrote about the state of Greece to the minister, and the Minister of Foreign Affairs in Munich at last said that he did not want to be bored with the thing, as it did not concern him.

4709. Were you an attaché at Munich?—Yes.

4710. What had you to do at Munich as attaché?—I was the only person there for most of the time besides the minister. I had to sit in for about an hour every morning, in order to visé passports, because all the passports of English travellers going towards Austria had to be visaéd. At present passports are not visaéd, and so I presume there is absolutely nothing to do.

4711. So when you were attaché you simply were occupied a short time in visaing the passports?—I was occupied for a short time in visaing passports, and perhaps once a week in copying despatch.

4712. But, at the same time, I presume there was a secretary of legation and a second secretary?—There was a secretary of legation, but he was away on leave. I think the second secretary who was then called a paid attaché, was away on leave. There was myself and another gentleman a Mr. Lonsdale, who was there, an invalid; he was hardly in the diplomatic service; it was a sort of brevet rank.

4713. May I gather your answer to amount to this, that at Munich the envoy extraordinary and minister plenipotentiary had little or nothing to do, and was chiefly away some little distance from his post; that the secretary of legation was absent on leave; that the second secretary was in ill health and could not do much; and that you visaéd the passports?—I am not in any way attacking the minister; he was a sensible man to go and live in the country, there being nothing to do in the town. He came in once a month for a few hours.

4714. Viscount *Barrington.*] How long were you there?—I was on leave some time; I suppose I was there eight months.

4715. Mr. *Rylands.*] One of the secretaries of legation was away, and the other from ill health was unable to do much?—He was called attaché, but it was more as a sort of brevet rank, to give him a little work.

4716. It would seem that your visaing passports, and copying letters once a week, would amount to the principal part of the work done at that legation?—It certainly was the principal part of the work done.

4717. It seems that we pay the minister at Munich 3,600 *l.*, and house rent 400 *l.*, making altogether 4,000 *l.*, in return for these valuable services; do you suppose that in the position the minister occupies there, he spends this salary which we give to him?—Well, whether he spends it or not, I do not know; I should not think he need spend it.

4718. Does he entertain people at his house—As a general rule, the minister at a place like Munich would be considered to do things very well if he were to give a dinner once a week to about 10 persons?—Well, each person you may count would cost, putting it at the highest, 1*l.* a head; therefore, you can easily reckon what that would be. He would then give twice during the winter a party which would cost perhaps 20 *l.* or 30 *l.*; if he were of an exceedingly hospitable turn, he would give a ball which perhaps would cost 200 *l.*

4719. Would he entertain the members of the House of Representatives?—No, I never saw any member of the House of Representatives invited to dinner; they are hardly in what is called society in a small German court. In a small German court, no person who is not what is called born well, that is to say, noble, is admitted into society; the nobility are generally very impoverished, and they pick up a living by being chamberlains and aides-de-camp about the court, and these are the persons who together with his colleagues are entertained by the British minister; as a rule, any members of the Cabinet unless they belong to the noble class, are not in society; there are some professors with 600 *l.* or 700 *l.* a year who are, but they do not profess to entertain

ntertain themselves, and perhaps feel rather out the ir element when they are in society.

4720. There can be no political object in these irties at Munich?—Not the slightest.

4721. You were also at Stockholm?—Yes.

4722. I suppose there, there was very much the me sort of thing as at Munich?—Yes, it was ry much the same sort of thing.

4723. The amount of work in the legation was ly trivial, I presume?—The amount of work hen I was there was this: there was the minis- r, there was a first secretary, and myself; I as there, I suppose, about eight months. The id attaché was away. The first secretary did t, as is allowed in the diplomatic service, have ything to do with the work.

4724. Mr. *W. Lowther.*] Who was the first cretary then?—Mr. Gray. I used to go down out 12 o'clock; I used to go into the minister's om, and we used to sit and smoke a cigar to- ther, and he used to say, "Well, do you sup- se there is anything to do?" "Well, nothing," used to say. Every now and then, about once fortnight he said, "I suppose we must show we e existing; cannot you think of anything to rite a despatch about?" or something would cur to him. I remember once we gave evidence our existence by writing about the condition the wetnurse of one of the Royal children, r which you do not require a minister to write spatches, I think.

4725. Mr. *Otway.*] Mr. Gray is dead?—Yes, make no charge against him.

4726. Mr. *Rylands.*] I presume that in none these replies do you impute any neglect of uty?—Not at all; all I want to do is to point t that there is nothing to do; the ministers do ost conscientiously anything they are called on to do.

4727. With regard to the staff at Stockholm, I d that, in addition to the envoy now there, there a secretary of legation, a second secretary, and a ird secretary, and I do not know whether an taché or not; however, those are the paid mem- rs of the mission; and I understand you to y, that with regard to the business of the mis- on, there is little or nothing for the minister to ; that the secretary of legation, when the inister is there, does nothing, and that the mount of work for the juniors is very much as ou have described in the case of Munich, really a trivial and routine kind?—Very much; I do ot believe that there is any object in a legation ere at all; but if you have a legation, the whole aff that would be required would be two per- s, call them what you like; you must have wo, because if one is ill the other must replace im, or one may go away on leave.

4728. Then the other mission at which you ere placed was at Dresden?—Yes.

4729. I should like to ask whether anything as done in that mission by you?—No, there was o business done. There are a great many Eng- sh residents at Dresden, and there was a great eal of notarial work done in the legation; there ere persons who used to come and want some- ing signed every day, but that was all there as; no work of any diplomatic importance or ny importance was done.

4730. Viscount *Barrington.*] How long were ou there?—I suppose about eight months; I put own eight months round for all these places.

4731. Mr. *Rylands.*] You say notarial work; I suppose that is the sort of work that would be done by a consul or vice-consul?—Yes.

4732. There was no consul at Dresden while you were there?—No, but there was a consul at Leipsic appointed a short time before I was there.

4733. How far is Leipsic from Dresden?—It takes three hours by the train.

4734. Would there be any difficulty at all in the notarial work that was attended to by the mission when you were at Dresden, being attended to at Leipsic?—At Leipsic there are neither English residents nor English commerce; so I could never understand why a consul or consul general was sent to Leipsic. If they wanted a consul general for Saxony, it would have been far better to have had him at Dresden.

4735. In fact, you think there would be some employment for a consul at Dresden, but that placed at Leipsic he has nothing to do?—Yes.

4736. Your idea would be that the consular duties for that district would be best performed by the establishment of a consular agent at Dresden, instead of at Leipsic?—Yes.

4737. And there being such an agent appointed at Dresden, is it in your opinion the fact that the chargé d'affaires now stationed at Dresden would have nothing to do?—When I was at Dresden, there was the usual staff. There was a secretary of legation belonging to the legation, who lived at Coburg with the local rank of chargé d'affaires, and there was this consul general at Leipsic. The only thing that is really required for the whole of Saxony and these little Coburg Duchies is to have a consul general or a consul at Leipsic. I cannot understand the use of sending a chargé d'affaires to Dresden; in fact, I believe the English residents, since he has been sent there, have asked for a consul. When the chargé d'affaires goes away, as he does not leave any staff there, they have to get all their documents signed at a distance; but if there is a consul, he can have a vice consul who can sign them.

4738. Since you were there, there has been a reduction of staff, and there is simply a chargé d'affaires now?—They were obliged to reduce the legation; the absurdity was too great, because the Saxon Government cannot enter into treaties with foreign Governments; why they sent a chargé d'affaires, I do not know.

4739. You were at Frankfort also, I believe; was not the minister at Frankfort at that time accredited to Darmstadt?—Yes, he was accredited to Darmstadt.

4740. Did he go to Darmstadt often?—He used to go, if I remember right, to two or three courts balls, and once or twice to dinner at the court.

4741. Then, in your judgment, looking simply at the business belonging to Darmstadt proper, there is no necessity for a chargé d'affaires at Darmstadt?—When there was a legation at Frankfort which was also accredited to Darmstadt, I suppose that the whole time of the year that was occupied with the Darmstadt branch, did not amount to above one hour for business; I am not talking of socially going and dining there.

4742. With regard to the salary of the minister at Copenhagen, I find that it is 3,600 *l.*, while the minister at Stockholm, has a salary of 3,000 *l.*; are you aware, from your knowledge of the circumstance of the two capitals, of any reason why the salary to the Danish minister should be

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higher than the salary to the Swedish minister? — I should have imagined that the reverse would have been the case, and that if there was any difference between the two, the larger salary would have been given at Stockholm. I was never at Copenhagen, except passing through; but there were several ministers from other countries accredited to both Copenhagen and Stockholm, and they used to consider that rent at Stockholm was dearer than at Copenhagen.

4743. Then it is your opinion that in regard to the Principalities and Duchies, it would be sufficient to have a consul general at some central point and vice consuls?—I should imagine that what you would want in Bavaria would be a consul general and chargé d'affaires; in point of fact, at all these places with the exception of Madrid and Florence, and one or two places where there are really great and important interests, all you want is a chargé d'affaires and consul general, the species of diplomatic agent that is employed in the South American Republics; their staff generally consists of one vice consul.

4744. You are aware that your scheme of reform that you have just suggested would throw a considerable number of gentlemen now connected with the diplomatic service out of employment?—Well, I should exceedingly regret it for them; but it has been laid down in the War Office that only the number that are required for the service of the country are to be employed; and I presume that the same system is to be carried out in all the departments of Government.

4745. Then you think that if the staff were so reduced, those whose services were not required should be paid off in some way? — I think that they cannot complain, if what has been done at the War Office is done at the Foreign Office; the same terms should be given to them.

4746. Do you see any reason why the diplomatic and consular services should not be amalgamated?—I think that it would be a great advantage to amalgamate them.

4747. You have indicated some cases, but do you think that throughout the whole of the service it would be desirable that there should be an amalgamation?—I think that it would be a great thing to do away with that species of notion on the part of the diplomatists that they are superior beings to consuls. Now, for instance, I heard Mr. Morier, the other day, give in evidence that he thought that it would below the dignity of diplomatic agents to receive fees, to transmit them to the Treasury, which are received by consuls, and transmitted by them to the Treasury. I think that that is a delusion, and I think that it would be very desirable to do away with that delusion by amalgamating the services; and I think that the whole thing would be carried on much more fairly, and that promotion would be much fairer, if you amalgamated the two services.

4748. Could you give the Committee any scheme embodying your views?—I have written down the scheme which has suggested itself to me, and I will read it. "The following plan will, if carried out, put an end to much waste of public money, and increase the efficiency of the diplomatic and consular services. The diplomatic, the consular, and the Foreign Office services, shall henceforward be amalgamated. The staff of the amalgamated services shall consist of three classes of officials. Class 1 shall consist of secretaries of embassy and of legation, of consuls holding first class consulates, and of senior and assistant Foreign Office clerks; class 2, of second secretaries in the diplomatic service, consuls holding second class consulates, and junior first and second class Foreign Office clerks; class 3, of vice consuls, third secretaries in the diplomatic service and attachés, and third class clerks in the Foreign Office. The salaries of members of class 1 shall be 700 *l.* per annum, of class 2, 400 *l.* per annum, of class 3, 200 *l.* per annum, with 10 *l.* additional per annum for every year of service in each class until removed into a higher one; but this addition will only commence in classes 3 and 2, after the test examination for the higher class shall have been passed. No person shall be admitted into class 3 until he has passed a competitive examination, and his appointment will not be confirmed until he has served for one year on probation; nor will he be promoted from one class to a higher one until he has, in each case, passed a further test examination. No person shall be qualified for class 1 until he has served at least one year in a consulate and one year in the Foreign Office. Promotion from one class to another shall be, as far as is possible, by seniority among those who have qualified themselves for it by having passed the examination for the class above that in which they are. Promotion from class 1 to the higher posts in the diplomatic and consular services shall not necessarily be by seniority. There will in future be embassies at St. Petersburg, Vienna, Constantinople, Paris, Berlin, and Washington; ambassadors and envoys will in future receive no allowance for houses, or for keeping up any house in which they may reside which belongs to the nation. The outfit allowance of an ambassador or envoy shall not exceed 1,000 *l.* Each embassy and legation shall be provided with plate of the value of 1,000 *l.* The outfit allowance of a chargé d'affaires will be 500 *l.* The ambassador at Paris shall receive 10,000 *l.* per annum, at Berlin 7,000 *l.*, at Vienna 8,000 *l.*, at St. Petersburg 9,000 *l.*, at Washington 8,000 *l.*, and at Constantinople 6,000 *l.* There will be legations at Madrid, Florence, Teheran, Pekin, and Yeddo. The ministers at Florence and Madrid will receive 5,000 *l.* per annum; at Pekin, Teheran, and Yeddo, 6,000 *l.* There will be chargés d'affaires and consuls general at Munich, Brussels, Rio Janeiro, Santiago, Bogota, Copenhagen, Quito, Athens, Guatemala, Hayti, Mexico, Morocco, The Hague, Lima, Lisbon, Stockholm, Berne, Tunis, Monte Video, and Caraccas; consuls general at Cairo, Havana, Tripoli, New York, Hamburg, Constantinople, Bagdad, Belgrade, and Bucharest. Chargés d'affaires and consuls general will receive 2,000 *l.* per annum, consuls general 1,200 *l.* Consulates will be divided into two classes according to their importance; all consulates such as that of Leipsic, which are useless, will be abolished; nor, except at Constantinople, will a separate diplomatic and consular establishment be kept up in the same town. The staff of an embassy shall not, except under exceptional circumstances, exceed one secretary of embassy, who will be employed in the chancery, one second class, and two third-class officials; one of the latter will be specially affected to the consular work. The staff of a legation will not exceed three persons. The staff of a chargé d'affaires will consist of one or two third class officials. As these alterations will involve a reduction in the number of those at present employed by the Foreign

reign Office, all those whose services are not quired will be allowed to retire upon the terms ich, under similar circumstances, were offered clerks in the War Office. Although the con- ates will at once be classified, existing incum- nts will be allowed to retain their present aries until they die or retire." What I mean the examination, for instance, of persons in the rd class taking place, and only those who pass becoming placed on the list to be advanced to second class by seniority, is this: there will a large number of vice consuls in the third ss, or consuls of the second class in the second ss who would never pass this examination, nor, ng attached to the places where they are, uld wish to pass it; consequently the promo- n would be quicker. Of course if you do away th the different great prizes in the diplomatic vice, you have to give a fair remuneration to blic servants, and I think that is a fair remune- ion with the additional 10 *l.* a year.

4749. Taking that scheme which you have d before the Committee, have you formed any imate as to the economy which would be se- ed by carrying out that scheme in its full de- ls?—I should think that it would be about ,000 *l.* a year.

4750. With regard to the reply which you de just now respecting the Legation at Frank- t, was there not a secretary of legation resi- nt at Darmstadt at that time?—No; there was ne. The secretary of legation at Frankfort ed at Frankfort, and there was no diplomatic icer resident at Darmstadt.

4751. But the minister simply visited Darm- dt?—Yes.

4752. I suppose you are quite aware of the ser- e performed by the Queen's foreign mes- ngers?—Yes.

4753. Are you aware of the rate of pay that y receive?—I think it is 400 *l.* a year, and a nd a day when they are employed.

4754. £. 400 a year, and a pound a day, and o their travelling expenses?—Yes.

4755. Do you think that that is more than ecessary?—I think that you take Foreign Office ssengers from too high a social class. I do t think that it requires a gentleman of high cial standing and education to carry letters from ndon to Paris, or from London to Constanti- ple. It is not done in any other country.

4756. Have you had the opportunity of seeing y special missions, or have the circumstances der which special missions have been sent to ner countries been brought under your notice? I was never at any place to which a special mis- n was sent; but special missions, I believe, are nally sent to carry a Garter, or something of rt sort, to a foreign potentate.

4757. Why, do you suppose, are special mis- ns sent for that purpose when we have am- ssadors and ministers abroad that might convey e honour?—I presume that it is, because there e a number of noblemen and others who belong ther to one party or to the other party who oc- sionally want a sop, and they are sent off with ese things. There is not the slightest result om sending them, except the waste of money d the advantage to themselves of taking a tle journey abroad, and taking their cousins th them, being given an order or decoration mselves, perhaps.

4758. But I understood that numbers of our plomatic service were entirely forbidden to ac- pt foreign orders?—When I was in the House of Commons I tried once or twice to get to the bottom of that, but I never was able to discover on what principle these gentlemen were allowed to accept foreign orders.

4759. Mr. *Otway.*] Can you say of your own knowledge that they have foreign orders?—Yes; Lord Bath has two.

4760. Mr. *Rylands.*] I understand you to say that the orders have been given; but are you aware whether the wearing of them has been permitted, because the two questions are entirely distinct?—When I was in the House of Commons, I did call attention to a mission (I forget who was at the head of it, but I think Sir Henry Storks) to Austria with the Garter for the Emperor; and I asked whether that gentleman or his staff going were to be allowed to receive a foreign Austrian order. Instructions were given to him, that his staff was not to be allowed to receive any order, but that he himself might. Lord Cowley, Lord Bath, and many others, have orders, and wear the orders; I do not go to Court myself, but I believe that any gentleman who goes there will see these orders.

4761. With regard to the Foreign Office agencies, I suppose that you had experience of them; I wish to ask whether when you were in the service, the Foreign Office agency system was popular in the service, as far as you know?—No, it was not popular in the service.

4762. Do you consider from your knowledge of the services and pay of the Foreign Office agents that they are entitled to any compensation? —No, I do not consider that they are entitled to compensation.

4763. You have no reason that you wish to lay before the Committee on the subject?—It would be rather a large matter to go into the whole question.

4764. Mr. *Otway.*] I observe that with regard to St. Petersburg and Constantinople, you have mentioned what you conceive to be the work in those embassies; you spoke from your own knowledge of those embassies?—I spoke from my own knowledge of them.

4765. It was very limited indeed at Constantinople, was it not?—You were telling me when I was there last time how long it was; I do not remember how long it was; I was there a few months, but at the Foreign Office they would know better how long it was; but it is not limited to that, because it is very easy to look over the archives and know what is done.

4766. But even supposing, first of all, that we went into the number of despatches written, which according to my account varies very much from that which you have given, still that would not represent by any means the whole work of the embassy at St. Petersburg, would it?—Yes, it would.

4767. Would it represent the whole work of the embassy?—Not the whole, but it would be a test of the whole.

4768. For instance, there would be a good deal of copying, would there not?—The minister sends in a draft of his despatch. In some embassies this draft is copied, and the draft is handed back to the minister, and a copy is made for the Foreign Office. In other cases a copy is made for the Foreign Office which the minister signs, and the draft is put in the archives; so that the copying does not amount to much. Besides, there might be a copying machine.

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4769. We have not come to that yet. There would be that in addition to the rank which you have mentioned; but are there not commercial statistics also provided at the Embassies?—Commercial statistics would form part of the despatches of the minister.

4770. There is a report to be made?—There is a report to be made by the secretary of embassy, but I apprehend that that is not copied in the chancellerie.

4771. It would form part of his work?—It would form part of his work.

4772. What do you consider the daily business of the chancery; because I observe that you have not alluded to that, the interviews with various people and communications with foreign officers?—But these interviews do not take place; they are perfectly mythical. The interviews with foreign officers are perhaps two a year; the interviews with other persons two, or perhaps three, a week.

4773. Would that be a fair representation, do you think, of the work at the Paris Embassy?—I am not speaking of the Paris Embassy, but of St. Petersburg; the embassy at Paris is quite exceptional.

4774. Would it be a fair representation of the work at St. Petersburg to say that three people come to the chancery in a week?—It would not be fair; I am exaggerating, because there were not so many as three when I was there. There is a consulate, you know, at St. Petersburg, where they go to.

4775. What minister was it, when you were at Munich, that said that he did not want to be bored by our despatches?—It was the Bavarian Minister for Foreign Affairs; of course it was an unofficial communication. The Foreign Office, in order to do something, I presume, were always sending the despatches which were sent home by the English minister in Greece to our minister in Bavaria, who transmitted them with his observations, sometimes to the Minister of Foreign Affairs there, and the Minister of Foreign Affairs said that really, as far as he was concerned, it was nothing to him that the king's son had been crowned as King of Greece, and that he did not want to be bored about it, and he hoped that we should discountenance it.

4776. You recommend consular officers for representatives of this country in Germany generally, and I think you said that a vice consul in many places would be a sufficient representation?—No; a chargé d'affaires and consul general at Munich. Now, for instance, take Darmstadt; you have got at Darmstadt a chargé d'affaires, and a vice consul at Frankfort—an unpaid vice consul, if I remember right. I should have thought that it would have been the better system to have had a paid consul, who could send in reports of the state of public opinion generally, at Frankfort, and no chargé d'affaires at Darmstadt.

4777. But you attach no importance at all to the representation of England at these Courts being on the footing with that of other countries, such as France, Prussia, and Austria?—It appears to me that, if we were to do that, we should be moving in a vicious circle. There was a debate that took place in the French House of Representatives the other day, and there several independent Members urged that it was a great waste of money to have envoys extraordinary and ministers plenipotentiary at these foolish little courts in Germany; the reply was, "We must continue so long as other countries do so"; so that, if we continue them as long as other countries do so, and other countries continue them as long as we do so, we shall never get rid of the system.

4778. Do you think that, with the stipend and the position which you would assign to those gentlemen, you would command that talent, character, tact, and personal influence, that are so necessary in diplomatic representation?—With respect to the talent, I do not know that any complaint has been made of the talent and tact of the chargés d'affaires and consuls general at present in South America, and they are members of the Diplomatic Service. With respect to the difference between the position of a chargé d'affaires and the position of a minister, the Minister for Foreign Affairs, taking a country such as Bavaria, will, when he has got any matters of importance to discuss, either go to Vienna or send over here, or come over here himself; he will not discuss them with the man who is there, whether he is a chargé d'affaires or a minister, because he does not consider him one of the important men of his own country.

4779. Do you really consider that your representation given to us the other day of our ambassador at Constantinople spending with difficulty 2,000 *l.* to 3,000 *l.* is a fair statement?—Well, I think that when you hear Sir Henry Bulwer, Sir Henry Bulwer will probably bear me out in what I say. At Constantinople the Ambassador is given a town house and a country house; his gardeners are paid for, his boatmen are paid for, there are persons who are employed to clean out the embassy house, who are paid for by the Government; consequently he has only to live in this house. With respect to entertaining, the only persons at Constantinople to be entertained are his colleagues, Levantines, Turks, and English travellers who came there. Turks, with very few exceptions, would not come to dinner if they were asked. His colleagues amount to about 50, and if he gives them two dinners a year (and that is quite enough), and putting it at 1 *l.* a head, that makes 100 *l.* There is not the slightest object in asking the Levantines to dinner; if he asks 50 in a year that is quite enough; and if he asks 50 English travellers in a year that is quite enough; so that you may put it down at 200 *l.* a year.

4780. Now, to come back to Munich, who is the minister who for eight months lived 70 miles away from the capital?—Sir John Milbanke.

4781. Is he alive?—He is dead.

4782. And who was the secretary there?—Mr. Bonar, who is now minister at Berne.

4783. And you consider it a fair representation which you gave of the work at Munich, that you wrote a description of wetnurses?—That was at Stockholm.

4784. Who was the secretary at Stockholm?—Mr. Gray.

4785. Was Mr. Corbett there then?—No, he came afterwards.

4786. Viscount *Sandon.*] Were you habitually at the minister's country house, 80 miles from Munich?—Never.

4787. So that you are not aware whether he was engaged upon the country's business when there or on his own pleasure?—As it was at a lake in the mountains, he could not have been engaged on the country's business long without

my

knowing it, because he would have brought in atches for me to copy, or they would have n registered in the archives.

788. You do not know whom he entertained e?—I presume that if he had friends over n England he would ask them there, but not arian society. Of course, persons living in the ghbourhood he would entertain.

789. From your personal knowledge, you are re that he did not entertain leading Bava- s there?—Of that, I am aware.

790. But you never were at his country house? Never.

791. Viscount *Barrington.*] I presume you sider that an English gentleman in the position n ambassador or minister who gave dinners, ht to give the best kind of dinners that ld be produced at the place where he was ng?—No, not of the best kind. You may e a dinner in Paris now that will cost you ut 20*l.* a head if you like to go to a restaurant.

792. Do you think that you can give a very d dinner, including wine, for a pound a head? Yes; I shall be happy to contract for a dinner ny capital in Europe, for a pound a head.

793. Including wine?—Yes; good enough e.

794. Mr. *W. Cartwright.*] I think you said t Sir John Milbanke was habitually at the gernsee?—Yes, when I was at Munich.

795. Mr. *W. Lowther.*] I think you wished give the impression that secretaries of em- sy or legation seldom did much in the chan- y?—Mr. Hammond, when he was here, stated t it would be as absurd to ask a secretary of ation to do any work in the chancery as to him in the Foreign Office to copy a despatch. thought it an extraordinary answer, because aetimes secretaries of legation do work and aetimes not; but they are not required to k.

796. Who was secretary of legation when u were at Munich?—Mr. Bonar.

797. He came pretty often to the chancery? When he was there.

798. And who was the secretary of legation Frankfort?—Mr. Edwards.

799. Did he not attend to his business?— cording to the Foreign Office, he had no work do at the chancery.

800. Did not the secretaries of legation make orts?—Yes; I remember Mr. Edwards made eport when I was there, so that there must ve been reports at that time.

801. I think you wished us to understand it the ambassador at St. Petersburg did not the English residents to meet the Russians? Certainly.

802. You knew the English merchants well? Very well.

803. Did you never meet in the merchants' ases there gentlemen belonging to the Russian bility?—When I was there Lord Napier was nister, and he found it necessary to give two rties, one party for the British residents, and e party for the Russian nobility; and also, nen he gave dinners, to give one dinner for e English residents, and another dinner for the ussian nobility; because, of course, although e Russians would not have refused to come th the others, they would not have amalga- ated together.

804. Mr. *A. Russell.*] Was not Sir John ampton obliged to conform to the local pre- judices at Washington when he entertained senators?—But there are no local prejudices at Washington.

805. He could have asked gentlemen of colour and respectable shopkeepers to dinner? —You could certainly have asked respectable shopkeepers. There are a great many respectable shopkeepers who are in Congress and the Senate. You could not have asked gentlemen of colour; but I should not put an English merchant on the same footing as a gentleman of colour; gentlemen of colour really was a waiter or a barber.

4806. Mr. *W. Lowther.*] Did not you yourself know English resident merchants at St. Petersburg who were, I will not say, on an intimate footing, but on a dining footing, with the Russian nobility?—A merchant might be on an intimate footing with a Russian nobleman, but, as a rule, an English merchant would not be asked to a Russian nobleman's house, nor would a Russian nobleman's wife go to an English merchant's house. Take the house like Princess Gotschakoff's; you would not have met an English merchant or his wife there.

4807. Is it much the habit of the Russians to ask anybody to dinner?—Yes, I think so, in a reasonable way; more to balls.

4808. You were at Munich in 1855; not since?—No.

4809. Is there a railway to Tegernsee?—There was none then.

4810. I think you seem to say that it was not the habit in other countries to employ gentlemen in so high a social position as our messengers, to carry letters and despatches?—Yes.

4811. Do you know at all or have you ever heard of any Russian or Austrian officers being employed for that service?—The Russians have not any service which is tantamount to our Queen's messengers. They have officers who are about the person of the Emperor, who are occasionally in exceptional cases sent; for instance, I believe that the Russians do not have any messenger from London to St. Petersburg, but they sent their despatches through our messengers.

4812. But do you know of any instances of Russian secretaries of legation being sent occasionally?—They are occasionally sent; as I have known cases in our service, of a secretary of legation being sent.

4813. When you were at Frankfort there was no English princess at Darmstadt?—None.

4814. You have said that a copying machine might be used for copying despatches; would you just describe what takes place when the head of a mission writes a despatch; he writes a draft, does he not, in the first instance?—Yes.

4815. And he very often make corrections?— Frequently.

4816. Then it would have to be copied, that is to say, a fair copy made of it?—Some ministers do not require that; they write their drafts and make no corrections; it depends upon the minister.

4817. He must be a very exceptional minister who would make no corrections?—Sir John Crampton hardly ever did; Sir Arthur Magenis hardly ever did.

4818. But he did sometimes?—Of course.

4819. Do you think it possible to introduce a copying machine into a chancery with advantage?—With great advantage. For instance, in Washington, very often a circular is sent round

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to the governors of the northern provinces; those might be done at once with a copying machine; three copies instead of one, made at the same time, and these copies sent to the governors. Or occasionally a circular is sent to consuls from the legation.

4820. I suppose that it is not a frequent occurrence for three copies to be made of one despatch?—No; but this is a frequent occurrence, that a copy is made for the legation, or for the Minister for Foreign Affairs at home, and a copy is made for the Minister for Foreign Affairs of the country where the legation is situated. There are, no doubt, a great many cases in a legation where two copies are made of the same document.

4821. Were there no claims of English subjects going on when you were at St. Petersburg, of people connected with Poland, and so forth?—There was, if I remember right, one claim going on, that of a Mr. Mitchell, but it hung fire very much, and there was not much done in it.

4822. You talked about the very small expenses of an evening party, that there would be only the expense of the candles, the ices, the tea and the coffee; you do not speak from your own experience?—I speak from my own experience of enjoying the light of the candles, eating the ices, and drinking the tea and coffee.

4823. But not from experience of giving parties yourself?—No.

4824. You have never acted as private secretary to any chief, so as to be able to know what the expenses of those parties were?—Never.

The Right Honourable Sir HENRY EARLE LYTTON BULWER, G.C.B. (a Member of the Committee); Examined.

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4825. *Chairman.*] YOU have been a great part of your life in the diplomatic service?—Yes.

4826. And have been through the various grades of the service?—Yes, I was in every grade but that of paid attaché; I was a long time attaché.

4827. And you were finally ambassador at Constantinople?—I was finally ambassador.

4828. Do you consider it an accurate representation, to say that the ambassador at Constantinople can live comfortably upon 2,000 *l.* or 3,000 *l.* a year?—I should say not from my own experience. I can only say that my ordinary house expenses were never less than 450 *l.* to 500 *l.* a month, without including extras and many things not entering into monthly expenses.

4829. Then your experience is not in conformity with such a statement as that?—Of course there are ways of living. At Constantinople you are put in a very large palace, and it requires a great effort to live in such a palace within the salary, and I do not think I ever did.

4830. I think you were minister at Madrid for a considerable period?—Yes.

4831. With reference to the salary of the minister there, should you say that it was more than adequate to meet the necessary demands upon the head of the mission?—I think that if a man had nothing to do but to look after his expenses, he might live cheaper than he does, but considering how much his occupations engross his time and mind, I don't think he can live for less, even without going to any very extraordinary display, but I must say that much depends upon management. I remember, for instance, that in the mere article of fuel at Madrid, at first I was made to pay nearly as much per month as by subsequent management I paid for a year; but that was owing to giving great attention to this expense.

4832. I suppose that when a minister is a little green, he is considered fair game at a foreign capital?—Well, in all those places, at least where I have had the misfortune to go, it has been the general idea that a minister was to be plundered, and as he has a great deal to do, and his mind is always constantly occupied with other affairs, he is not a fair economist for his own interests.

4833. What is your opinion generally with regard to the remuneration of the diplomatic service; should you say that it was more than adequate, or on the whole fairly adequate, or inadequate?—Of course this depends very much on the position that you intend a minister or ambassador to keep up. With my own views as to the manner in which a minister or ambassador should live, I should say that they are not overpaid; and considering that it is not a profession into which you go for the purpose of making money, I should say that they were not underpaid; but if anybody is to go into the service with the idea of saving money, then certainly the diplomacy would be underpaid.

4834. You consider that the hope of distinction and of eminence is one great inducement to gentlemen to embark in that profession?—I think that it is because there are a few great prizes in it, and it is also more or less an agreeable profession.

4835. You have heard in this Committee a great deal said of the block at present in promotion; you are aware, no doubt, generally, that there is such a stoppage in the rise in the profession?—I think there has been a great deal of exaggeration about that, because I remember that in my time, even taking those who were most fortunate, and who went through the grades of the profession, they rose very slowly. Take Lord Cowley; Lord Cowley was a long time in the under ranks of the profession. Sir John Crampton, who went into the profession before I did, was my secretary at Washington after I had been minister for five or six years. I am taking the fortunate ones; Sir Arthur Aston was a long time in rising. All those men rose afterwards, but there were a great many others who never did rise, and who never expected to rise much above the under ranks of the profession; and of course when there were fewer to promote, and whom the profession expected to see promoted, that number rose more rapidly.

4836. Do you think that in the profession there is generally a tolerably accurate estimate made of the worth of the component parts of it, and that they expect one man to get on and another not to do so, very much according to their real value?—I really think so; after a man has been a little time in work, I think, generally speaking, there is a fair estimate taken of him.

4837. In the more open professions of the Bar and the medical profession, a man's measure is taken pretty accurately by his professional brethren

ren; is that so in the diplomatic service? hink so in general, but it depends very much e opportunities a man has had; a man may e placed in a position in which he may be to show superior abilities.

38. We have been told, what is no doubt a that several of the minor missions have been id of, and that that has contributed to make ppage in the course of promotion; there is ubt it has, I presume?—To a certain degree ; for though some posts have been created f Europe, the destruction of two or three pean posts has stopped promotion in Europe. I think that more persons who expect pro-n, and who are in the under grades of the ssion, have been employed than there used formerly.

39. You think that the door has been opened r wider in the lower ranks?—I think so, be-e a great number of the men who were for-y attachés, for instance, did not go into the macy with the idea of making it a profession, therefore they did not block up the profession.

40. But that state of things seems to have d almost entirely?—Yes, unfortunately, in pinion.

41. You think that the old system was a pre-ble one?—I do, much.

42. Perhaps partly for that very reason, that I take off a certain number of the attachés at arly part of their career?—It got you a very class of attachés who were generally more ss named at the suggestion of the minister or assador, and who were therefore very anxious lease him; they lived more together in a ly, and there was more familiarity amongst different members of a mission or embassy there is now.

43. There was a closer personal tie between chief and those under him?—Yes; an ambas-r would ask a man with whom he was pre-sly acquainted to do things for him which aps he would not ask a mere stranger, who sent there, to do.

44. Was that more the case at the earlier of your career?—I think it was; the conse-nce was that nearly every ambassador kept a for his attachés. Formerly what I conceive ave been the idea was this: there was a secre-of embassy who was the adviser and assistant e ambassador, and his help in the chancel-; then there was a paid attaché who over-ed the chancellerie and the work that was there; then there were attachés who were paid, some of whom continued in the career, rs of whom did not, but who were named by Foreign Office, not always, but in general, the assent of the ambassador, or at his gestion. It was the custom for the Secre-of State to write to an ambassador, and say im, "We think of naming So-and-so; would have any objection to him?" The ambas-r, in fact, was more considered than now.

45. Any practice of that kind is quite at an now?—My nephew was attached to me at request, but otherwise I was never asked m I would like to have; and once or twice n I have written for persons of special quali-which were wanted at the embassy or mission, ve had persons sent me who had none of e qualities.

46. And who, therefore, did not answer the pose for which they were required?—On the rary, they encumbered me.

51.

4847. Would you recommend that the practice should be reversed then, and that we should aim at going back more to the old system?—I certainly should; if you wish to have economy combined with work, I should certainly say that having unpaid attachés was a very good plan; and it was a good plan for another reason, namely, that you saw whether these gentlemen would wish to remain in the profession, and also it was seen whether they were fit for it; whereas now a man very often goes into it, and when he has spent a certain time about it he finds that it does not suit him at all; and it is sometimes found that he does not suit it at all.

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4848. Then do I rightly understand that you would suggest removing the entrance examination altogether?—No; I would have an entrance examination, but I would not have a very severe one. Perhaps I was the person who was principally instrumental in introducing examinations. I had gentlemen sent to me sometimes, once or twice in particular, who did not write English or French, or any other language with which I was acquainted, and then I took every means in my power to have examinations of some sort adopted.

4849. Then you would point to an examination which would secure you at least against such gentlemen as those?—Yes, certainly; I think that an examination secures you against perfect incapacity; I do not think that it secures you capacity for a diplomatist.

4850. I rather gather from you that you would not be in favour of introducing a system of competition for entering into the service?—I think that there is a great deal to be said on both sides; but I think that there is a great deal to be said, which has not been said, against competition altogether. In all the countries I have visited (and I have visited a great many) I have found the thing most detrimental to society and to the public service was a passion amongst the public generally for Government places, and I am afraid that we are introducing into the public here, judging from the letters I have seen as a Member of Parliament, a general desire amongst all classes to get their sons into public offices. I think that this takes away a great deal of energy from the general stock of energy in the country, because the young men who succeed are usually ambitious and clever; once in the inferior grades of the different departments, their advance is very much limited, and whatever talent and spirit they had originally, which they might have carried into other ranks of life, is absorbed and often nullified in mere official routine. Moreover I think we shall end in this manner, by making the public service more expensive, because the public will be more interested in having a great number of places, and having the persons who are in them well paid. Thus, I am not very favourable to competition for Government places in general; in other departments, and in diplomacy, particularly, I do not think it would answer, because you cannot test by competitive examination the fitness of a man for diplomacy.

4851. You cannot test the peculiar qualities which above all he is required to possess?—Exactly; for instance, firmness of character and suavity of manner, self-confidence without presumption, and a variety of other qualities are more essential to a man in diplomacy than mere learning. The chief qualities that you require cannot be tested by an examination of any sort.

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An examination is necessary to prevent incapacity, but I do not think it can be taken as the measure of capacity.

4852. I forget whether you were at the university yourself?—I was, but I did not take a degree there.

4853. Should you say that the men who distinguished themselves most at the university were men markedly superior in respect to those characteristics to which you have referred as needed in the diplomatic service?—There is the old saying of Dr. Johnson's, "What becomes of all the clever boys?" I can only say for myself, that I was at Harrow five years, which is not a university, but is something like one, and there is not one of the very clever boys I remember there who has ever done anything in public life, or in life at all, I should say. I do not think that remarkably clever boys often prove superior men in public life.

4854. Mr. *Otway.*] Still a great number of the statesmen and distinguished public men of the day are from Harrow, are they not?—Undoubtedly; but I do not think that those men, with the exception of Sir Robert Peel, were remarkable for being clever boys, so far as my experience goes. I was looking over the list the other day of all the clever boys I remember in my time, and not one of their names has appeared since, coupled with any distinction. The fact is, that energy of character in public life is the thing which succeeds more than anything else; and it is the boys who have not energy who, generally speaking, pay most attention to their lesson; they get up their lesson instead of going to play at cricket, and the like. Any man who shows at the university that he has ability, may apply it afterwards to his profession or anything else, but I do not think it necessarily shows that he will do so.

4855. *Chairman.*] You would not be satisfied with university distinction as a test of competency for diplomatic employment?—As a general rule, the man distinguished at the university would evidently have given signs that he was competent for entering the diplomatic profession, as far as adequate education is concerned; in one or two instances there might be special circumstances independent of education which would be against him.

4856. Would you have any limit as to age?—I think not, because nature has given no limit as to age; one man at 60 is incapable, and another man at 80 is not; and therefore I would not attempt to do what nature has not done. In all those cases I think that, when you are looking at the advantages you wished to secure for diplomacy, you should look especially at the advantages you wish to secure for the public; and I would never myself do anything which might be called for the advantage of diplomacy, which I did not think at the same time was for the advantage of the public; and the public should have the advantage of having all the ability it can employ, whatever the age; therefore I should be sorry to make restrictions upon the subject of age.

4857. The object of the public is simply to have able, trustworthy, and influential men?—Yes, certainly; what is the object of a great public establishment which has business to carry on all over the world? It is to have the persons who are best qualified to carry it on; and that appears to me to be the object that we should have in view for our country.

4858. Then you would make the door, as I understand, to let in such men, a pretty wide one?—Certainly; I can never agree in diplomacy being an exclusive profession, because I could find many men in a drawing-room in London who were perhaps more fit than anyone that I could find in the profession for great posts, at particular moments; but I think it is fair that people who have served for a long time in a profession, should be employed in the higher grades if they are fit for them. I wish, however, to point out one thing which it is necessary to remember relative to that; you must consider that the foreign minister in every country is certainly one of the first men in that country; therefore the men who have to deal with him should be more or less men of equal capacity and calibre; well, I say that of 10 men who go into diplomacy there certainly is not above one who is fit to be intellectually upon par with the best men in the country (I am speaking of the great countries of Europe) to which he is sent.

4859. You mean when he has risen to a certain position in the service?—Yes, that is no argument against seniority.

4860. I understand you then to disapprove of its being an exclusive profession, and of the terms of promotion being wholly by seniority?—Yes.

4861. You would leave the discretion of the foreign minister in this country unfettered in both respects?—Except so far as it was fettered by public opinion, and all that sort of thing.

4862. There would be the sense of his own responsibility as well?—Yes; I think if you put a man in a conspicuous situation, the public are sure to find fault with him if he deserves it, and you should give him an opportunity of showing that he is fit for that position.

4863. What is your idea of the true composition of a large embassy or mission; what sort of staff should there be attached to it?—I am very much in favour of circumscribing the number of persons regularly employed, because I find myself that I have always got on better in proportion to the smallness of the number of gentlemen I have had with me.

4864. You got the work better and more efficiently done?—I got the work better done; I was more intimate with those under me, and they more intimate with me, and we worked more harmoniously together. If the Committee will allow me, I will mention some instances. I was chargé d'affaires at Brussels, at a time when the affairs there were very important; I had only Mr. Crampton with me as attaché, and we got on perfectly well.

4865. Was that at the time of the Belgian question?—Not precisely. The Belgian question was just concluded, but there was a good deal to do in consequence of it. Again, I was at Constantinople as secretary during an important time, and I made a treaty there with the approbation of my chief. Well, our number then was exceedingly limited, for there were only Lord Ponsonby and myself and Count Pisani, and one attaché. I was afterwards at Paris during 1840, which was a most critical time; and then I had Mr. Henry Greville and Mr. Howard with me, and I was besides commissioner for the Greek loan and commissioner for the settlement of the Portendic claims, and a commercial treaty which was on the point of being signed, if we had not had a difference with France about other matters. What I mean

ean to say is, that there was an immense deal lo; we worked hardish, and if we took time in day to amuse ourselves, we sat up late at night I got all business regularly done. In America, I was minister; there we had a great deal to and I had only my nephew, a very young ow at that time, and a young man, Mr. Pennell, n the Foreign Office. And the first year that ent to Spain, I only had Mr. Paget and Mr. ningham. But then I had a private secre- y. I must say, and I think, that a minister uld be allowed to have a private secretary.

866. Sir Henry Elliot stated that he thought inister should be allowed to have a confi- ıtial employé of his own in the position of a vate secretary; you agree in that view?— s; I do not think that the Government should for that private secretary, but the minister self; and that his being employed in that acity should neither be a reason for his being erwards admitted into diplomacy, nor a reason his exclusion from it; it might test his ness.

867. Would you have an allowance made to minister in respect of a private secretary?— .

868. Is he debarred now from having one?— e minister is not debarred from having one; at st, I never was; but if the private secretary not attached to the mission, there is often a lousy on the part of the gentlemen who are.

869. He is not considered one of the corps? He is in an awkward position, and I think this ity, because I think it advantageous for the vice that a minister or ambassador should, in portant places, have a private secretary; for ry often, from good nature, and having no ect control over your subordinates, you do t give them things to do which you wish to ve done, and these things you get your private cretary, who depends on you, to do without uple.

870. If you made him in any way an attaché the mission, he would have a sort of moral aim to employment in the service, I presume? I should make it a condition that he had none. the first place he would not pass the examina- on, and that would be in itself a bar. But if was thought advisable, after a time, to retain m in the service, there should be no obstacle. I member I had one private secretary, now a ember of the profession, who was adopted by e minister who came after me, who found him very useful person. I believe the same was e case with Lord Howden's private secretary.

871. An able man in that position would with s chief almost engross the greater part of the ork of the mission, would he not?—No; the ere private letters of the minister would employ e person.

872. A great deal of the more important part the work of the mission is done through pri- ate letters, is it not?—A great amount of official siness not important, and some that is. I have ished sometimes to employ a member of the mbassy to be my private secretary. Well, if e says "No, I will not," what can you do? You annot force him.

873. Do you think that the relations between he chief and his staff, in that respect, are quite what they ought to be?—I do not; I see an im- nense change from the time at which I entered he profession. At that time the affairs of an em- assy were carried on very much between the ambassador and the Minister of State for Foreign Affairs. The Minister for Foreign Affairs remained in office a much longer time than he has done since, and consequently he did not lean so much on the office. The office has stepped in very much between the ambassador or minister and his employés, and has tried as much as possible to make everything depend on the office.

4874. The permanent office-holders, the bureaucrats of the office you mean?—Yes; the consequence is, that the regulations which they have made, nearly all detach the members of a mission from the chief. I remember when I was ambassador at Constantinople, one regulation (I do not believe that anybody has ever acted upon it) which forbade you, if you wanted anything done, to employ one of the attachés yourself, to get it done; you were obliged to call your secretary and say, I want this done, and leave him the control and selection as to who was to be the person to do it. Therefore, you might be very anxious to get a piece of work done; but if your secretary, as is to be supposed, had less knowledge of men, and less knowledge of affairs than you, it was done less properly and less completely than you would had it done, and this under your verynose. Now, again a minister or ambassador is never, I think, consulted as to who should be attached to his mission, and it sometimes occurs that the favour which an ambassador may show to any particular person on account of the ability or readiness he finds in him, becomes rather an objection to that person on the part of what I call the office. It thinks that he is not sufficiently under its shadow, and that he is more under that of the ambassador.

4875. Then do I rightly understand you to say, that you think the general staff of these larger missions might be advantageously reduced, and that you might have a smaller number of public servants there?—I think so; a smaller number of those who are paid, and led to expect, as of necessity, promotion.

4876. Then you would conjoin that, as I understand, with gentlemen who would be temporarily, as it were, attached?—With a possibility of naming them for posts in the service. Generally that power would not be wanted, but it might be; then they would pass the ordinary examinations.

4877. As to these persons, the heads of the great missions should have a certain consultative voice, in your opinion?—Exactly; that should be done in a friendly manner between the head of the mission and the Minister for Foreign Affairs.

4878. With regard to the higher posts and the subordinate officers in those missions, does not the Foreign Office generally consult the head of the mission, before it sends a particular gentleman to him?—I think not; I only know one ambassador who has been consulted, and he carries about the same attachés or secretaries wherever he goes; but that is an exception.

4879. Mr. *Kinnaird.*] May I ask who that ambassador is?—Lord Lyons; he has two attachés or secretaries who generally accompany him, and he finds the advantage of the arrangement.

4880. *Chairman.*] Have you ever been asked whether you approved of the secretary of legation or embassy proposed to be sent to you?—No.

4881. Can you enumerate to us what you think would be a competent staff for the larger missions?—I think a secretary of embassy, a paid attaché,

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and an archivist; allowing the ambassador a private secretary if he wanted one, and unpaid attachés if required. A second secretary might be allowed at Paris, with the permission of the foreign minister.

4882. Would that allow for sufficient leave of absence?—I think it would, but if not, it would be very desirable to have gentlemen from the Foreign Office; they would learn something of the country they went to, and the ambassador might learn something also as to the views of the Foreign Office.

4883. You are in favour of the suggestion made to us of having some sort of interchange between the Foreign Office and the Diplomatic Service?—Yes, I do not know whether I would have a constant interchange, because men get more fit for the employments to which they are most used, and I have no doubt that the clerks in the Foreign Office are better fitted for the Foreign Office, from having been so much in it; and the same, perhaps, applies to the members of the corps diplomatique; but I think that there are occasions when it would be very desirable to have some men from the Foreign Office sent out to foreign missions, and even when gentlemen employed at foreign missions should work for a time in the Foreign Office. In fact, in order to fit the men in the under grades for high employment, the great thing to secure is that they should pass through the great embassies, and that they should also pass every now and then through the Foreign Office, because it is only there that they learn great politics. At all the small places they learn nothing as to general politics, and their minds often get dwarfed. I look upon it as one of the greatest advantages possible to a man who aims to rise in the profession, to be, for instance, in the embassy at Paris.

4884. With reference to the present classification of the service, have you anything to suggest to the Committee about that; as to the rise from one step to another, from second secretaries to first secretaries, and so forth?—I think that the secretaryships are multiplied too much, and you have made a very large staff which you do not want, and which becomes a detriment to every one belonging to the staff; all expecting to get on, nobody can get on. But I should say, as far as rising from one step to the other goes, the reports of gentlemen when they are secretaries of legation, and examinations, if you have them, all more or less are something to go by; but then I think there should be added to them something else, which is the opinion given, upon his honour, by the head of the mission or missions where these gentlemen have been. That alone would be a further test of their capacity, and would give them a reason for endeavouring to be on good terms with their chief.

4885. Would that to a certain extent create a subordination which is rather wanting now?—Yes.

4886. We have had a suggestion made that it would be very advisable to have a very high leaping-bar, as it were, put up for all the gentlemen who want to get to the higher grades to get over before they can get promotion; would that be desirable in your view?—I do not think so, because if you have passed the best examination you could pass, it would not be a proof that you were a good man for an important situation as a diplomatist. It might be a test that you were a clever or learned man, but that is another thing.

4887. Viscount *Barrington*.] You would leave that part of it to the responsibility of the foreign minister?—I am very much for leaving as much responsibility as possible to the ambassador, in his particular situation, and as much responsibility as possible to the minister, as the administrator of his department; I would have responsibility in the higher ranks of the profession, and in the head of it, because the more responsibility is concentrated conveniently, the greater it is.

4888. *Chairman*.] But what would you do with respect to these gentlemen who are more or less failures, though probably each man himself thinks that he is entitled to get on in the profession?—The Minister for Foreign Affairs undertakes the task, and must undertake the responsibility of being Minister for Foreign Affairs, and he will generally be backed by the profession. But I think there should be a tendency to allow people to rise up to a certain rank by seniority if they do not do anything amiss, and then if they remain in that rank and are not promoted further I think after a period of eight or nine years, or something of that kind, they might have their option of retiring on a suitable pension or going on. People say that it would be a very hard case if they were not promoted; but take the position of a secretary of legation, and compare it with that of the head clerk in one of the departments at home. It really is quite as good a one, and yet you find gentlemen of a certain position in life, and certain qualifications, very well satisfied with the position of head clerk in one of the public departments as the ultimate reward of their services. Then there are the smaller missions to which men not altogether fit for the higher can be advanced; but, as there are many opportunities of knowing and seeing who are the men who ought to get on in the profession, I think those are the men to push.

4889. Then, I rather collect that you have a strong opinion against a mere seniority profession?—I think it is the ruin of any profession and particularly the diplomatic; also it prevents anything like satisfactory promotion, because, as I said before, if everybody is to wait in a profession where there are many fields of honour and none of death, until death has thinned the way there is no possibility of anyone getting promotion within a reasonable time.

4890. It saves a timid or indolent foreign minister from a great deal of trouble to give promotion by seniority; do not you think there is a risk in that respect?—That responsibility is just what I wish him to undergo. I think the tendency now is very much to avoid responsibility when people can; but I think it a mistake to allow this.

4891. With respect to the point which has been mentioned here, of changing the great ambassadors with the change of party at home, has there been any change of practice in that respect in your opinion?—Yes; when I entered diplomacy all ambassadors (not ministers) were changed as a rule; but then it must be remembered that at that time parties remained much longer in office than they do now, and therefore the policy of a minister became more identified with the head of the foreign department. For myself, I must own that the ambassador at Paris, as a general rule (I will not say that there are no exceptions) is so much a member of the cabinet that I think

except

cept there was a particular reason for keeping
n, the change there would not be disadvan-
geous.

4892. You think that the older system of
ving a change was the better one?—As far as
is goes. At the same time I would say that
there were a man doing very well, there should
no obligation binding the Government to
move him. I said something before on that
bject when Lord Derby was being examined
se, and I should just like to explain that. I said
at I thought the case of a peer was a particular
se. It seems to me that a peer, having duties to
rform in the House of Lords, and having duties
o to perform at the embassy, if he discharges his
ties in the House of Lords, and connects
nself with a party, ought to go out with that
rty. I think that it lowers the position of an
bassador that a foreign Government should see
at he gives his vote to whatever minister is in
ice. But when a man, like Lord Lyons, for
stance, has originally belonged to the pro-
sion and becomes a peer, I think that he should
left to choose whether he will go to the House
Lords and take part in its debates and in its
visions, or whether he will not; but the Go-
rnment should not force him if he remains in
lomacy to come and vote for them, unless they
ree to make him a party official, and then he
ould go out with the party.

4893. You think that it lowers his position
road to be supposed to be a mere follower of
e minister of the day?—Exactly, it lowers his
oral position.

4894. That, perhaps, is less so now that proxies
ve been very much done away with, and he
ist come over personally to vote?—If he does
t vote he need not be supposed to belong to a
rty, but if he does he becomes a party man.

4895. Mr. *Rylands.*] Would you put it in
is way, that if a peer had known political
aracter at home you would think it would be
desirable that he should retain office abroad as
bassador when his party went out; but that if
were simply a diplomatist, without any political
aracter at home, as in the case of Lord Lyons, then
ou would not see any objection to his remaining?
—No, unless he made himself, to a certain degree,
partisan by voting with a particular party.
hen I think that from that fact he puts himself
an awkward position if he remain at his post
hen another party is in; he must vote either
gainst them or with them; if he votes with
em he lowers his private character, and if he
tes against them he complicates his public one.

4896. *Chairman.*] What do you say to the
ansference of the junior members of the diplo-
atic profession from one mission to another, by
ay of enlarging their experience?—It depends
on what you mean to make the diplomatic
ofession; if it is to be a school for young gentle-
en on the loose, it may be advantageous; but
you consider that diplomacy is a sphere of
blic employment and official duty, I think you
ntrive a means by which you make a man use-
l nowhere under the pretext of making him
eful everywhere; in fact, I think it most detri-
ental and contrary to common sense; and also,
has another disadvantage, that it entails greater
xpense upon the individual, and therefore you
ake the profession more necessarily one of
ealth.

4897. Is it not suggested, on the other hand,
at by long residence in one particular capital a
gentleman gets too much associated with the foreigners of that capital, and is too much imbued with their ideas and notions?—Of course everything may be carried to an extreme; but it is an immense advantage both to the ambassador and to the service, to have people who are well acquainted with the country they reside in. It saves an immense deal of time; in fact, if you have a special profession, it is for the purpose of obtaining special service; and if you send a man directly he has obtained a knowledge of one country to another country, you might as well take a stranger. For instance, I will take a man that goes to Constantinople. He is two years there. I am sure it is all he can do to learn anything about the East in that time, and he cannot learn the language even then. Then he is sent to Buenos Ayres; then, when he knows something of Spanish, and so forth, he is taken away and sent to a mission in Germany. What advantage is it to the public that he, as a member of this mission in Germany, has been at the other two places? He would be more fitted for the mission in Germany by having been a year in Germany than four years out of it; in short, I think that there might be certain spheres to which gentlemen might be, I do not say absolutely, but more or less confined; certainly there should be no rule to prevent their being so.

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4898. Are not some diplomatic positions considered more eligible in locality than others for those in the profession, and would it not create jealousy if some favoured gentlemen were in some favoured spots, and the rest were banished to a remote corner of the world?—You cannot get anything satisfactory to everybody, and I am not for trying to do so; I look to the service and not to the individual, and for the service it is well that certain persons should be brought forward, and others, not according to their tested ability. A man of mediocre capacity may be very useful in one spot where you bring out his utility to the highest possible point by his local knowledge; but if you move him about, he loses the only good quality he had, and becomes fit for nothing; besides which, you create a degree of restlessness in his disposition and character, which in itself is an evil.

4899. Take your own example; you have moved over a large portion of the surface of the world; do not you think that you have acquired more real knowledge of men and human affairs from having seen them in different parts of the world and under different aspects?—I was a long time at nearly all the places I went to. I was at Paris a long time; at Constantinople a long time, in Spain a long time, and in America a certain time; and, I think, on account of that, I know those countries tolerably well. But I am talking, as a rule, especially of attachés and secretaries, and I consider this system of moving them about is absurd. As I said before, it is going upon the principle of making people useful at some indefinite time and place, and rendering them useless at nearly every place that they are sent to.

4900. But are you not obliged to contemplate the ultimate utility of a man when he arrives at a higher position?—I think that a man should be acquainted with the policy of his own country for those higher missions, and the policy of Europe. He will not get that knowledge by being jaunted about to Stuttgardt, and Buenos Ayres, and Rio de Janeiro; the general knowledge which will fit him for the higher grades of the profession, must

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be got at those places where such a general knowledge is attainable.

4901. We have had a good deal suggested to us with respect to the relative position of the consular and diplomatic services, and we have had the suggestion made that it would be advisable for the good of the service generally, that there should be something more of amalgamation between the two; what is your opinion on that point?—I cannot say that I agree in that; I think that it would end in the first place in this, either that the consuls would be absorbed by the attachés and diplomacy, which is most likely, as they are the strongest body, or the consuls would get into diplomatic posts, for which their education and training as consuls do not fit them. I think that the knowledge that you want in a consul is local knowledge; I have always found for myself that, if I could find a consul who had been a certain number of years at a place, he was a man of great importance and great authority, and could be of immense service to you at that place; whereas if you transplant him to another, unless he is a man of first-rate ability, which happens rarely, for a length of time he is next to useless, and without any consideration at all. Therefore, I think that the consular service requires a different class of men with different dispositions, different habits, and different desires. If you are to have a number of gentlemen circulating in diplomacy and among all these consulates (a rolling stone gathers no moss), they would never have any weight in any place which they went to, and, I speak generally, be bad consuls and bad diplomatists. I am quite against that suggestion. I would rather be able to offer a consul an increase of salary, if he stayed at the particular place where he was doing well, than be obliged, to the detriment of the service, to remove him from that place to another where he is certain not to do so well.

4902. As ambassador at Constantinople you had a great number of these gentlemen under your immediate superintendence?—Yes, I had a great many under me, both in America and in Spain, and also in the East.

4903. Some of them, no doubt, were men of considerable ability and attainment in that branch of the profession?—Some of them were, certainly.

4904. Should you say that as a class they are not the men whom you would like to see ultimately aspiring to the position of heads of missions, and dealing with great public affairs?—In the first place, as very few of them would get high in the diplomacy, nearly all would be dissatisfied, whereas they are now very satisfied with the career that they have entered upon. In the next place, I think that if you were to bear in mind that the man you named as consul might become an ambassador, you would exclude a great number of consuls who now make excellent consuls, and be obliged to make the consular service much more exclusive than it is now, which would not be an advantage.

4905. With reference to the consuls general, they are more in the capacity of diplomatic servants?—Yes, nevertheless I think that they should belong to the consular service. Though I would not make it a regular thing that consuls should enter diplomacy, I still would not positively exclude them from it, and places of that sort are intermediate places which may serve as a stepping stone. For instance, a man may be named consul general to Egypt, and may give evidence there of abilities which would make it desirable that he should go into the diplomatic service. Therefore the opportunity for it is open to him. You cannot say that a consul cannot become a minister, because many have become ministers by passing through those places. I would give them that chance.

4906. Viscount *Barrington*.] Then I understand that you would admit consuls general into the diplomatic service, but not consuls?—I would not refuse consuls if they were thought fit for it: but it is in places, like those of the consuls generals being promoted there as consuls, that consular officers can show diplomatic capacity. This permits men of the one service to enter the other, but I should not amalgamate the two services and make the one constantly running into the other.

4907. *Chairman*.] We have rather had the thing put in the other direction, that it would be a good thing for the public service to shunt diplomatists who did not get on well in the diplomatic profession into consulates; what is your view on that?—Young diplomatists would make bad consuls, and worse if they were merely consuls for a time to come back as diplomatists. What I think is a great disadvantage, and it is one which I often had the misfortune to find, is this: a man is doing exceedingly well at a place, has learned the place, he may be in one of the Greek Islands, Candia, for instance, and all of a sudden I would hear that he was carried off from there without any consultation with me, and placed in some place for which he was perfectly unfit, and of which he knew nothing, and that a stranger taken from America or Rio was put in his place. Lord Derby said that it would be hard to keep him at a place because he had done well there. You are sacrificing, therefore, the good of the public for the individual's good; but I would sacrifice neither, but would give him something additional to remain where he was useful.

4908. I did not ask you whether on the whole you approved of the present subjects of examination; what would you say as to the topics about which the service should be examined in?—I think that the first examination should show whether the gentleman is tolerably well educated. In the second examination I certainly should examine him in public law. I think that is of immense advantage. I went through a short course in Paris, and I found it of immense advantage in my profession to me; it is the study of equity.

4909. Did you attend the course of a professor there?—I read with a professor.

4910. French, I presume, you consider a *sine quâ non*?—Yes; I think so. Some gentlemen very often cite the American diplomatic service. I was speaking with the American minister at Paris, a very able gentleman, but he said "that he found it very inconvenient not knowing anything of French." Then you must consider this also, that the American diplomatists are generally men of known capacity, apart from diplomacy.

4911. They are men who have risen to distinction in their own party?—In their case you are not taking ordinary men such as you find in the mass of any profession. They are men already conspicuous in some way for their ability.

4912. The diplomatic appointments of the United States abroad are considered as prizes in America for very eminent men in public life, are they

y not much more than they are here?—inent men often want and get them, but they ver stay long. A man wants to go to Europe; wants to educate his daughters; it gives him ertain position afterwards in life to have known inent Europeans, and all that sort of thing, d therefore in that way are prizes; but high lomatic posts are great prizes at times, though t like the prizes of the great offices in the ntry.

4913. I need not ask you whether the American presentatives in Europe play the same imrtant part in the public affairs of Europe, that e English representatives do generally?—In rope, in general, the American diplomatist mes into the field with a great advantage that have not. He says if you do not do so-and-so know what will happen, and he can threaten d he will be generally supported by his country threatening, whereas the English diplomatist ows that if he threatens he will be disapproved. olding stronger language, the American diplomatists are sometimes more attended to than rs, therefore they have that advantage; but as dividuals, not being so well acquainted with rope, nor so well trained for diplomacy, they e generally inferior as diplomatists to ours.

4914. Viscount *Barrington.*] I suppose that the case of an American diplomatist acting, as perhaps would say, on his own hook, in that nd of way, any decision he came to in the way a threat would be subject rather to revision the Home Government?—Certainly; but the ome Government reflects the country, and the untry in the United States has a strong national irit, which the Government rather encourages an suppresses. Consequently, on all national estions, an agent knows he can speak boldly, d that he will be approved of.

4915. I suppose that you would be in favour a change being made with regard to the stem of the present examination in French, as u say that you consider French indispensable, cause at present conversation in French and iting under dictation in French, have been minated from the examination?—I think it uld be very desirable that that should not be iminated; I think that a person ought to be le to write and talk French. There might be ceptions, but I think that that ought to be the le. It is certainly one of the most necessary ings after writing English.

4916. Do you think that any change ought to ke place with regard to the Foreign Office messngers in the present system under which they t?—I consider that a difficulty; if I had to stitute a new system I certainly should not institute the present one; but it is very difficult w having got gentlemen into that service to nange it and introduce persons of another class; t I think that persons of another class have ne the business as well.

4917. Persons like the Feld-jäger in Prussia?—Yes; persons of highly respectable character; t there are persons of highly respectable character in their particular grade of life as much to trusted as persons born in a higher sphere. I member some of the old messengers.

4918. Mr. *W. Cartwright.*] I think you said at formerly a good many went into the service without any intention of following it up a profession, whereas now those who do go in tend to follow it as a profession: is not that a nange which is rendered incumbent by the system introduced in 1861, and which made it obligatory upon persons to pass an examination?—I think it is; those persons who went in in the manner in which I suggest should not be made to pass the examination; they would be employed on the responsibility of the chief of the Foreign Office, the chief of a mission being satisfied that they would be an assistance to him, and then if they were carried from that temporary position regularly into the profession they would undergo examination.

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4919. Therefore it would be necessary, in order to have the system that you recommend, to do away with the recommendations of the Committee of 1861 in its main features?—I would have those who went into the profession with the idea of remaining permanently pass through the examination, and that would fit them for the position of paid attachés, and to form a part of the staff which I would have maintained; but those who went in merely temporarily, and are named with the assent of the chief, need not, I think, pass an examination. No chief would wish to have an incapable aid.

4920. I think, if I understand you rightly in regard to the block, you said you thought that there was some misapprehension?—I think that there is some exaggeration; I think people think that everybody got on much quicker formerly than they do now; and I have cited a great number of persons who were fortunate in the profession, and who were nevertheless very long in the lower grades before they got to the higher ones.

4921. But is it not the case, that whereas formerly some men rose slowly, now all men rise slowly by the present system?—I quote those who rose the quickest; I quote the persons who have been the most eminent in the profession. Generally speaking (I was in some degree an exception), those men who reached high posts were a very long time before they got to them; others were put entirely aside, or never went beyond the lower grades; but it has always been a very slow profession. Mr. Temple was a very long time, though Lord Palmerston was always a member of the Government, before he got to be minister.

4922. But does not the rule of seniority render it absolutely impossible for any man to rise rapidly now?—Yes; now the idea of everybody is that he must rise, and therefore nobody rises.

4923. Whereas formerly there was room for those men who showed more merit to rise, now by the rule of seniority those men cannot rise?—Yes.

4924. Still I understand you to say that the measure of men is pretty fairly taken; how can that be?—I did not say that it is taken fairly in their promotion. I said that in the profession people, generally speaking, had a fair idea of the competency and the abilities of those persons who were in the profession. I did not mean to say that promotion followed their competency; on the contrary, I think it does not.

4925. That their competency was seen by their immediate superiors, but still their merits were not fairly rewarded by promotion?—This was my idea: that in the profession, generally speaking, if an able man among the subalterns is given an exceptional post, the profession knows enough of him to say, "Well, after all, he is a clever fellow, and has a right to be put there;" but I do not say that the Foreign Office acts on this idea; on

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the contrary, I believe that the clever men now do not get on quicker than the stupid ones.

4926. They do not get on so quickly as they were able to do under the old system?—Certainly that is the case.

4927. I think you suggested that one of the advantages of the unpaid attaché systems, was that these gentlemen, if they found that the service did not suit them, might exchange into other services?—Yes, into other walks of life.

4928. But would there not be some difficulty now, in consequence of the rule introduced into all public services of competitive examination, which would prevent these gentlemen, after having spent some years in a trial, from going into these other branches?—The class of men who would be unpaid attachés would not probably go into other professions, nor remain in the diplomacy unless they found that they had peculiar capacity for it; and then if you did away with seniority, and they were superior to other men, they would advance quicker, even if they went in late.

4929. But I apprehend that formerly it was more easy to enter other public services, when there were no fixed rules than now, when there are such, and limits of age; that would require modification therefore?—For other public services, but not for various other pursuits.

4930. I gather generally from your answers, that you have a decided opinion that the Secretary of State should be vested with the very highest degree of discretion, and full power in the selection of his instruments; that is the keystone of your system?—Yes, and I think that he should consult to a great degree with the ambassador, who should also have the responsibility thrown upon him.

4931. But that the principal secretary, in order to be able to fulfil his high functions, should be vested with very large power?—Yes.

4932. In speaking of the advantage of a concentrated staff, did you mean us to infer that generally our diplomatic staffs all over the world were too large?—I cannot answer for all over the world; but my general impression is that they are so. I found staffs, much less numerous than those which now exist, work very effectively when I had them under my control.

4933. But would there not be a difficulty in finding the raw material for the higher posts if you reduced the number of these recruits; I mean, finding trained servants at a fixed moment?—No; I think that there would still be a quite sufficient number to be able to select the men fit for those positions in the profession; and if they could not find them in it, you would have to look for them out of it.

4934. Did I rightly understand that you think in the course of late years the diplomatic profession has somewhat come under the rule of a bureaucratic encroachment on the part of the permanent officials of the Foreign Office?—Certainly my opinion is very much so, and it has gone to such an excess that they have very much diminished the self-confidence which a person in a high situation had formerly. I learn this from diplomatists who are now in the profession. It is very customary, for instance, to send out to a minister, if there is a note to write, the exact wording of the note he is to write. Perhaps he has to make a representation with his French colleague. His French colleague, who is not tied down by these rules, writes a very amiable letter to the minister of the country, which is well received, and says just the same thing. The English minister, who is tied down, writes a very disagreeable stilted official sort of note, which is exceedingly ill received, and makes him very unpopular. My idea of what formerly happened is this, that a minister generally took very great pains to make you thoroughly understand what he wished done, and the policy of the English Government with respect to the country to which you went, and then he left you very great discretion as to the means by which you should do it; but now the Foreign Office is apt to consider that nothing can be well done except that which is done at its own bureau.

4935. So that the position of the permanent officials is one of much more power and influence now than it was formerly?—It is a perfectly different thing.

4936. And the position of diplomatic servants abroad is one of decreased power now?—Certainly, in the higher diplomatic service. Having less responsibility, they become less fit on pressing occasions to assume it.

4937. I think you said that you considered that a great embassy was the true high school for diplomacy?—That and the Foreign Office.

4938. Do you think that any advantage would be derived if the heads of departments in the Foreign Office were, for a year or two, employed in these great embassies, so as to acquire greater insight into the peculiar matters that come under their consideration in the Foreign Office?—I think it would be, if it could be managed without detriment to the service of the Foreign Office. You must always consider this, that the Foreign Office knows nothing really of the living countries, or the personal character of the men in those countries. Whatever they do is done upon general principles and general ideas; and of course, if any man knows who the leading men are in foreign countries, and knows foreign countries practically, he carries much useful knowledge to the Foreign Office.

4939. Therefore you think that, if such a scheme could be arranged, it would be beneficial, and tend to the greater efficiency of the Foreign Office?—It would tend to make gentlemen there see that everything cannot be done at the Foreign Office, and enable them to do what they did there better.

4940. In regard to consuls, I understand you to say distinctly that you would not like to see the young diplomatic servants drafted into the consular service?—Certainly not; I think that they would make exceedingly bad consuls, and not gain much for diplomacy.

4941. I suppose you would admit that there are two distinct classes of consuls; some distinctly mercantile?—Yes; but there are very few political consuls who have not also some commercial business, and I think it fair to the consular body to leave it some gates open to the higher profession of diplomacy; you sometimes thus get able men out of that body.

4942. Still, in the French service there is a very close amalgamation between the consular and the diplomatic services, is there not?—Not very close; but the French consuls are more political and less commercial than ours, and therefore it is more frequent with the French to put men from the consular service into the diplomatic, particularly in the East; but then, as I have said, they are educated more politically than ours are.

4943. You think that detrimental?—I do; upon the whole, I think our own consuls, as consuls for our work, much better than the French.

4944. I think that you laid stress upon public law being included in our examination?—In the second examination.

4945. I suppose you meant thereby to imply that it is not sufficiently developed in our present examination?—From what I understand, it is not.

4946. And it is of very great importance in diplomacy?—Certainly; it accustoms men to consider what is right; it habituates their minds to consider what is equitable, and then you can judge nearly all questions by that test.

Mr. CHARLES HENEAGE, called in; and Examined.

4947. Mr. *Otway.*] YOU are a Secretary of Legation at Munich, are you not?—I am Third Secretary at Munich.

4948. Did you hear Mr. Labouchere's evidence here with regard to the work of the legation at Munich?—I did.

4949. Is that, in your opinion, in any way a correct representation of the work that is done at the legation there?—It is not a correct representation of the work at present at Munich.

4950. Would you give a short description of the work of a secretary of legation at Munich, taking your own case last year?—I arrived there last year; shortly after my arrival the other two secretaries went on leave, and I was there alone with the minister. I was on duty every day according to our regulations shortly before 11 to 2; I was busy almost the whole time with people coming in and different things and so on; and all my leisure time at home was occupied with translations of different things; I had no leisure time at all for nearly two months and a half.

4951. How many reports were you engaged on at the same time?—The first secretary was away; I was busy with a report on military education in Bavaria, which has since been published by the War Office. I had the translations to make of all the theological papers of Dr. Döllinger about the Œcumenical Council; we sent the original home with the translations; those translations are very difficult and require great care. I made also a translation of a very elaborate report by Dr. Mayer, about the venereal disease, a very important matter, and other private things.

4952. Could you give any account of the number of despatches written at Munich?—I think that Sir Henry Howard gives full details of everything that goes on at Munich; I think that there are something like 300 despatches a year. Those are principally political despatches; we also have commercial ones.

4953. Munich is a very interesting post just now, is it not?—It is a very important post.

4954. Where does Sir Henry Howard reside?—In the country in the summer time, on the Starnbergersee, about 14 miles from Munich; and in the winter time at Munich.

4955. Mr. *Rylands.*] How often does he come into Munich in the summer?—If he is residing in the country with his family, he gives very distinct instructions to me to keep him thoroughly acquainted with everything going on, by letter or telegraph, and I use my discretion in doing so.

4956. Mr. *Otway.*] Starnbergersee is about the distance from Munich of Richmond or Twickenham from London, is it not?—Yes, an hour in the train; and he frequently comes into Munich whenever there is the slightest thing to require his presence there.

4957. The other diplomatists live there too in summer, I presume?—Yes.

4958. Mr. *Rylands.*] Then the fact is, that you, as third secretary, can attend to all the routine business, even with this pressure upon you?—With the minister there to direct me.

4959. You can do the routine work by yourself?—I think I should explain that it is more than is generally expected.

4960. I understood you to say that it was two to three hours a day?—And all my private time too last year.

4961. Your leisure time was occupied in translating documents relating to the Œcumenical Council?—Yes, and other ones; those take a great deal of time.

4962. Mr. *Otway.*] Is it not the fact that from Bavaria came very important intelligence relating to the Œcumenical Council at Rome?—Yes.

4963. And that has considerably added to the work of the mission there?—It did so when I was there last year, and probably will this year.

4964. Mr. *W. Cartwright.*] How many miles is it to the Tegernsee from Munich?—I cannot say exactly; it is too far for an English minister to reside. The Russian minister resides there in the summer, but not the English minister.

Monday, 11*th July* 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. Bouverie.
Sir Henry Lytton Bulwer.
Mr. Cameron.
Mr. William Cartwright.
Sir Charles Wentworth Dilke.
Mr. Eastwick.
Mr. Holms.
Mr. Kinnaird.
Mr. William Lowther.
Mr. Otway.
Mr. Arthur Russell.
Mr. Rylands.
Viscount Sandon.
Mr. Richard Shaw.
Mr. Frederick Stanley.
Mr. Frederick Walpole.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Right Honourable JOHN LAIRD MAIR Baron LAWRENCE, G.C.B. (attending by permission of the House of Lords); Examined.

Baron *Lawrence.*
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4965. *Chairman.*] YOU have been Governor General of India, as we know?—Yes.

4966. For how long?—For five years.

4967. And the whole of your active life has been spent on that side of the world?—Yes.

4968. We have had it stated here that the Persian Mission has twice been changed backwards and forwards between the India Office and the Foreign Office, and that now, under the last arrangement, it is under the Foreign Office; that is so?—Yes.

4969. No doubt you are satisfied that a great part of our relations with Persia must necessarily arise from our position in India?—I think so.

4970. Practically, a great part of the value of our having any relation at all with Persia depends upon our Indian empire?—I think so.

4971. Have you ever given your attention to the question whether it was expedient that it should remain under the Foreign Office, or that it should be under the direction of the Indian Secretary of State?—Yes; I have thought over the matter.

4972. Have you come to any clear conclusion as to which you think is the best course?—Yes; I think that, on the whole, it is best that it should be under the Secretary of State for India.

4973. When you were Governor General, had you direct communications with our diplomatic representative at Teheran?—Yes, but not numerous; the minister in Teheran used to send to the Governor of India copies of such despatches as he addressed to the Secretary of State, which bore upon India and Indian politics.

4974. Had you direct authority in any way over the Persian Mission in case of emergency?—No, none whatever; we could communicate, of course.

4975. Whatever you wished, or might have wished to have done in Persia, with reference to Indian interests, would have to be communicated home, and then to be sent out from here to Persia?—Yes.

4976. Have you ever had occasion to think that the public service was at all damnified by a want of direct communication between the Governor General and the Persian Mission, either in point of dispatch or in point of efficient discharge of any duty?—I cannot say that in my time it was so.

4977. We have been told that there was a very considerable advantage in having gentlemen who have been bred in the Indian service, and who are familiar with Eastern courts and Eastern habits to represent us in Persia, rather than gentlemen who have been bred in the ordinary diplomatic circles of Europe; is that your opinion?—I would certainly say so.

4978. Should you say that a man who had been accustomed to Eastern courts is a better man for the purpose of dealing with an Eastern despot and his Government, than one who had been accustomed to the more civilised courts of the West?—I should say so.

4979. From his familiarity with the habits and languages and modes of thought of Orientals generally?—Yes.

4980. Then I rather gather that if the Persian Mission was composed of gentlemen who had that familiarity from previous experience with Eastern habits and Eastern courts, instead of being composed of European diplomatists, if one may use the phrase, your objection to having the Foreign Office in superintendence of the Persian Mission might to a certain extent be obviated?—To a certain extent. I think that, in the first place, one great advantage in having the Mission in Persia under the Secretary of State for India is, that the Secretary of State would then be naturally led to make his selection of the chief officers in Persia from among officers who had served with distinction in India; whereas in the nature of things that could not be the case if the Persian Mission were under the Foreign Office, that would be one of the main points of difference.

4981. Matters of general policy, with reference to our mode of dealing upon great questions with the Persian court, of course, would be settled here by the Cabinet after communication between the two Secretaries of State?—Yes, of course, the policy would, but the mode in which that policy was carried out when settled would very

ry much depend upon the individual man ere, and whether that man had been trained so to be able readily to acquire a knowledge of character of the people of that country. But n I think that beyond that, though the policy uld be settled at home, the Secretary of State England would be very much guided in his icy by the views of the man who was in Persia, ticularly if he was a very able man, because ugh the Secretary of State would decide the tter himself, he would, nevertheless, in the ure of things, in semi-official and even in cial communications with the minister, from e to time hear from him what were his views particular questions of policy, or with refer- e to our general policy, or our general re- ions with Persia, and in that way the Secretary State would hear a good deal from the minister Persia calculated to influence him, and bias his lgment, though, of course, that judgment would finally settled in England.

4982. You think that the eyes and ears of the nister in the Persian court would be more ined and skilled eyes and ears if he were an dian officer than if he were an European diplo- atist?—Yes, and those views would influence e Secretary of State; he would be free to lge from what was written to him or said to m, but he would be very much influenced by at he heard from the minister in Persia. If at man were a person who thoroughly understood siatics and Orientals he would be more likely come to a true, safe, and sound conclusion than man the main portion of whose life had been ent in European courts. It is quite one thing deal with Europeans, and it is quite another ng to deal with Asiatics. Then I think there another important point. I should say that if the inister in Persia is a gentleman whose chief me has been spent in Europe, his views of ques- ons bearing upon our interests in India might very different from the view of an officer of qual ability who had been for years in India, d who was conversant with our border politics the frontiers of India, our relations with ffghanistan and Belloochistan, and our com- unications with Central Asia.

4983. On the other hand, it has been suggested o us, that an Indian-bred diplomatist would be ore likely to look at our connection with Persia holly from an Indian point of view, and that he ould neglect considerations in relation to the estern part of the world; that he would, in fact, refer Indian politics to the politics of the world? —My answer to that would be, that when he ame to deal with questions connected with urkey, and that side of Persia, he would find at they had no affinity with questions connected ith India and Central Asia; he would therefore al with the one on principles suited to Turkey nd that side of Persia principles, separate and istinct from his mode of dealing with the other lass of cases. Questions in which we are in- erested for the sake of Turkey, as connected with ersia, would not in any way be affected by our elings or views as regards India.

4984. The relation of Russia to Persia is a uestion which affects both sides of the world, oes it not?—No doubt; our great interest in ersia arises from the dominant influence which ussia exercises in Persia.

4985. One of the objects of English diplo- acy has been always to uphold the Persian ndependence and the Persian Empire as opposed to Russian domination, was it not?—Yes; but so far as that went, the policy would be identical; it would be equally to support Turkey for Turkey's sake, as to support Persia for the sake of our interests in India. I meant, in speaking about Turkey, that border questions between Persia and Turkey, those questions, on the one hand, and great questions of policy affecting Indian interests on the other, would be altogether different and distinct.

4986. While you were Governor General, our Persian Mission was under the Foreign Office?—While I was Governor General it was under the Foreign Office.

4987. Had you ever occasion to doubt whether (without reference to particular persons) the Indian policy, and Indian interests and views, were sufficiently regarded in the action of our representative in Persia; or would you have thought that somebody with a greater knowledge of Eastern views and Eastern life would have been more equal to the occasion; I mean in a general way, because I do not ask for a particular instance?—I should say that was the case; I do not think that the minister of late years in Persia understood altogether what were really the interests of British India, as connected with his position in Persia; and I do not think that he was able, from his position in Persia, to gather that knowledge of Central Asia and Central Asian affairs that he would have acquired had he been previously trained in India.

4988. I suppose, to a great extent, Persia and the Persian Court is a kind of centre of intrigue for all the various interests affecting the West and the East?—I could not speak of that much, having never myself been in Persia; but whenever I looked at the question, I looked at it with reference to our tenure of India, and in that view, I consider it most important that the British minister in Persia should possess a large knowledge of India, and its circumstances.

4989. Have you a trained staff of skilled officers in India always available, men who have been bred in the functions of diplomacy?—There are a large number of officers of various ages and various periods of service in what is called in Europe the diplomatic line, but which we term the political service in India; these men, generally serving at different native courts from their earlier years. Many of them have been 25 or 30 years in different diplomatic positions, so that they have had a complete training in diplomacy.

4990. Are these gentlemen shifted from one station to another, and are they promoted from one post to another?—Yes; they are promoted in the department. In many cases they remain for years and years in the same province, and in other cases they are changed from one province to another, according to circumstances. Supposing that there was a great run of mortality or sickness in the diplomatic officers in one province, of course the Government would not give all the promotion in that province, but they would give some of those posts to the men backward in other provinces; but if the promotion went on pretty well in all, they would, as a rule, promote men on the principle of benefiting to the greatest extent by their local knowledge and local influence. For the highest posts, however, the Governor General would naturally be disposed to make his selection of the officials whom, in his judgment, were best fitted for the particular duty, irrespective of other considerations.

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4991. Is it become more or less a profession, a distinct line of public life in India?—Yes; I think if you were to consult the Indian Directory, you would find probably 400 or 500 officers at this moment in different diplomatic and civil appointments in India among the military men alone, besides the civilians. There are fewer of the civilians in the Diplomatic Service; still there are a number. Thus you have an enormous field from which to select. Then again, after a certain time, officers return from India, men of large and extensive experience in different parts in India, and among them you could get men of known talents and known ability, and tried experience; and I should say that, on the whole, you might select among them men of greater fitness for service in Persia, than you would, in the nature of things, find among the men under the Foreign Office.

4992. Persian is the sort of French of the East?—At one time Persian was the language of all our courts, not only of diplomacy, but of justice; but the different vernacular languages of India are now the languages of the courts of justice, and Persian is confined to diplomatic relations.

4993. Still, a trained political man would be familiar with Persian?—Yes; and he would not only know Persian, but also various other languages of India which have a bearing on the knowledge of Orientals, and of their character and peculiarities; he would probably know three or four Eastern languages besides Persian.

4994. Viscount *Barrington.*] I gather from what I have heard of your Lordship's evidence, that you are in favour of the re-transfer of the Persian Mission to the India Office?—Yes, I am in favour of that change.

4995. And are you in favour of the Governor General of India having more influence over the Persian minister than he has at present?—I would have the Persian minister, as at present, under the Secretary of State in England; but I would encourage a more free communication between the Government of India and the minister in Persia in troublous times, on emergent occasions, and so forth; of course, the Government of India should not be able to alter or modify the policy that had been laid down from England, even if he wished to do so, which probably he would not; it should be thoroughly understood that he was not able to do so; still, by a more free communication with Persia from India, I think a great deal of good might arise, and a certain amount of friction at times be avoided. And then I would say that the two persons, the minister in Persia and the Governor General in India, being under the one Secretary of State, there would be less liability of friction and more probability of unity of policy and purpose, and system, under the one state of things, than under the other.

4996. That Secretary of State being, of course, the Secretary of State for India?—Yes; no doubt the Secretary of State for India and the Secretary of State for Foreign Affairs would communicate with one another, but that is when things have gone to a certain extent. You want that the policy should be as homogeneous as possible; that it should be a policy consistent from one period to another period; and I think that is more likely to be the case when Persia is under the India Office. I think that the Secretary of State himself would, in difficult circumstances, where India was very much interested, apply to the Governor General of India, and he would from his own knowledge, or from the advice of those about him, his counsellors, be able often to give the Secretary of State in England sounder views connected with Indian interests, than those which would be acted upon, if Persia was under the one Secretary of State and India under the other.

4997. We have had evidence both ways with regard to the transfer and the re-transfer; could your Lordship give us any reason why there should be this very great objection on the part of the Foreign Office, beyond the jealousy which exists between all offices one with another, to give up the power of controlling the Persian Mission to the India Office?—I suppose it was simply that the Secretary of State for Foreign Affairs wished to have our relations with Persia under himself. I recollect that I was in the Council of India when Persia was under the Secretary of State for India; it was then re-transferred, if I recollect right, at the wish of Lord Russell.

4998. Was it only in consequence of Lord Russell's individual opinion?—I am not aware of any other reason; I think it would be difficult for any one to say fairly that there were any great evils that arose from Persia being under the one or the other Secretary of State; but I think that things would have worked more smoothly and more satisfactorily on the whole for the public benefit, if the Persian Mission had been under the Secretary of State for India. The real question is, I submit, which arrangement is likely to answer best in times of trouble and commotion. These are the considerations which should decide it.

4999. I suppose you are of opinion that our representative in Persia should be thoroughly acquainted with the language?—Of course.

5000. Is it a language that is easily acquired?—Well, it is not difficult to acquire when you are young; but I think that if a man, however able he was, had not acquired it in his youth, he would not easily acquire it in middle age.

5001. Your Lordship has stated that diplomatic relations with Eastern powers are very different from those with European powers?—Yes, and the mode of dealing with them also.

5002. I suppose that one of the modes of dealing with them in the East, is the system of making presents, is it not?—When I said that it was a different mode of dealing in the East, I did not allude to giving presents or withholding them; some diplomatists think that it is of great importance to give and receive presents; I confess that I do not attach very much value to that. On our side of India the Government certainly do give and receive presents, but I do not myself think that it is of very much importance; I know, however, that there is a divided opinion on that subject.

5003. At the same time I conclude, that where that practice is carried out by other foreign powers, it would be necessary that we should act in the same way, in order not to diminish our influence?—I think so.

5004. Mr. *W. Cartwright.*] If I understood rightly, what you mainly pointed out in regard to Persia was, that it was a specific mission, requiring specific qualifications?—Yes.

5005. And that is the principal point, I think, of your observations?—Yes, and that those specific

qualifications are with reference to India, our interests in India.

...I mean a mission requiring specific qua...tions on the part of those who are employed ...e mission, in contradistinction from the qua...tions which would fit those persons for mis... in Europe?—Yes, I think so.

...07. Therefore, if full discretion were given ...e Secretary of State at the head of the Foreign ...e to select any instruments that he might ...n in the service, there would not be so much ...tion to Persia remaining under the Foreign ...e as at present?—I do not think that that ...ld very much affect the question. I think ... the Secretary of State for Foreign Affairs ...d naturally go to a different set of officers ... those to whom the Secretary of State for ...a would go in making his selections for ser... in Persia. Men naturally make their selec... from among those with whom they have the ... intimate relation. I mean to say that the ...retary of State for Foreign Affairs is in ...tant communication with the ministers in ... different courts of Europe; well, if he ...ted an able, good man for Persia, he would ...rally look among the lists of those gen...en, and select the best man that he could ...his hands upon for that particular post; he ...ld not look to the Indian list of officers for ... a man; of course he could do so, but in the ...re of things he would not; whereas, the ...retary of State for India would naturally look ...e Indian officers.

...008. Still, for China and Japan, which are ...idered specific and special missions of a special ...acter, the Foreign Office has of late selected ...ons who have got special knowledge of those ...ntries?—Of course, there is nothing to prevent ... Secretary for Foreign Affairs selecting an ...ian officer for the Persian Mission, or a par...lar man for China or Japan; but I think, in ...nature of things, he is more likely to select ...fficer for the Persian Mission who is not so ... qualified for that post, as one who might be ...cted by the Secretary of State for India, with ... aid of the advisers that he has about him.

...009. Hitherto it has been the rule of the ...eign Office, since the Committee of 1861, to ...sider diplomacy rather a close profession; ... if that rule were modified, and the Secretary ... State were empowered to use greater discre... in the selection of officers, I suppose that ... objection that you have raised would be in ...e degree met?—It would in some degree, ... not much, because I think that no rule can ...r the natural bias of a man to make selection ...n those with whom he is in the closest com...nication.

...010. I suppose that there is a considerable ...erence in the class and range of the political ...rest connected with the Persian Mission from ...e which are connected with any other mis... immediately within the sphere of the India ...ce?—I think that officers who have lived ...g our frontier, say in Scinde and in the Pun...b, beyond the Indus, and in constant relations ...h the Afghans and the Belooches, would be ...eedingly well adapted, if well qualified in ...er respects, for that kind of service.

...011. My question was not with regard to the ...lification of the officers, but with regard to ... nature of the mission itself as one that has ...leal with other political interests of a larger ...l, and of a more cosmopolitan kind than the ...51.

missions immediately under the Governor General of India?—I do not think that they could be larger than those interests which are directed by officers, say on the Punjaub frontier; those men have not only intimate relations with the chiefs within our own territory, but they have also a considerable acquaintance with chiefs beyond the Border, and the general state of affairs in Afghanistan. And then with regard to the merchants who are continually coming down from Central Asia into our territory, and going back again, these officers are in constant communication with them also; they have a great deal of important work to deal with, I should say quite as important as anything that is likely to occur in Persia, judging from the despatches I have seen.

5012. The relations in Persia also affect general European interests and those of Turkey?—Yes; it does not seem to me they affect them in great affairs, however, but in little border questions.

5013. You do not think that there is any substantial difference in the range of interests between those missions which are directly subject to the Governor General and the Persian Mission?—No. There is one thing that I would like to say with regard to the selection of officers, because that seems to me the grand question between the advantages of having one Secretary of State and those of having the other Secretary of State to control the Persian Mission. I said that the Secretary of State for Foreign Affairs would naturally look, in making his selection, to the officers in immediate connection with his department. Even if he wished to make a selection of an officer of mark and distinction, who had served in India, he would hardly know of an officer or be able to select one. As a general rule, with rare exceptions, he would not know anything about the men who had served in India, whereas the Secretary of State for India is daily and hourly reading despatches in which the best officers of India are mentioned, and therefore their merits and qualities are specially brought to his notice. A Secretary of State for India who had been for any time in that office could probably tell off on his fingers all the leading officers of distinction in India; whereas the Secretary of State for Foreign Affairs would know nothing about them.

5014. Mr. *R. Shaw.*] A difficulty has been suggested to the Committee in the way of the appointment of an Indian diplomat in connection with the Persian establishment, namely, that he might not be so competent to deal with European questions as a European diplomat. Am I right in assuming that the number of European questions arising at that mission is small in comparison with the number of Indian questions?—I have no absolute personal knowledge of the details of the Persian Mission, as I have never been in Persia, but I can fairly appreciate the kind of work which the minister there has to do; and I would say, under correction, that the work which he has to do connected with European matters is comparatively trivial in proportion to his work connected with Indian questions and questions bearing on India.

5015. If there is anything in the objection would it not apply with greater force to the appointment of a European diplomat, seeing that Indian questions preponderate?—Yes.

5016. Would there be any difficulty in laying

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down rules for the guidance of an Indian diplomat in all questions of a European character?—I should think not.

5017. Mr. *Eastwick.*] I should like to ask whether you think that the Foreign Office can be well acquainted with the affairs of Afghanistan and the States which border on India to the north?—I think it cannot.

5018. Do you think that the progress of Russia in Central Asia is likely to bring Persia more and more into the pale of European influence?—I can hardly form an opinion, and I should not like to venture to express one on that point.

5019. The progress of Russia in Central Asia must of course render the interests of India in Persia much graver and more important?—No doubt, if Russia advances.

5020. Any movement of troops, for instance, supposing it was intended to counteract the advance of Russia, or any negotiations, would probably be carried on from India, would they not?—That, of course, would depend upon the policy of England. I think the natural mode of dealing with the question would be to do it through India.

5021. And the Governor General would probably be kept much better informed of matters relating to Indian interests by an Indian officer as minister at Teheran, and supposing Persia was under the India Office than he would be if an European officer were there, and Persia were under the Foreign Office?—I should think so.

5022. When your lordship was in the Council of India, and when the re-transfer of the Persian Mission from the India Office to the Foreign Office took place, were you aware of any reason for that transfer in the bad working of the arrangement which put Persia under the India Office?—No.

5023. While Sir Henry Rawlinson was our minister in Persia, everything worked well, did it not, so far as your lordship is aware?—Yes.

5024. You are aware that Sir Henry Rawlinson resigned immediately that the Persian Mission was re-transferred to the Foreign Office?—Yes.

5025. Would you not think it probable from what you saw in India, that matters of grave importance are likely to take place on the frontier with reference to Affghanistan, Persia, and Central Asia, more so than, we will say, 10 or 15 years ago, owing to the progress of Russia?—I am rather doubtful upon that point; I have never been much alarmed about the progress of Russia myself; of course, it is on the cards.

5026. Your lordship would think it fair, I presume, that in the case of Persia being re-transferred to the India Office, the Indian revenue should bear the whole expenses?—I do not see why India should pay the whole expenses. India already pays the larger portion of the expenses of the Persian Mission, and as the mission in Persia is not entirely and solely for the interests of India, but as it is admitted that to a certain extent it is for European interests also, I think that England should pay a portion.

5027. You think that the present allotment of the expenses, which is something like three-fourths, namely, 12,000 *l.* from India, would be a satisfactory arrangement to remain?—Yes; I think that if it is altered at all, England ought to pay a little more rather than pay a little less.

5028. Mr. *A. Russell.*] Would not the difficulty be such if the Foreign Secretary were to be guided by the advice of the Secretary of State for India, as to any appointment to the mission in Persia?—I do not see that in the nature of things you could expect him to be so guided; they would consult, and no doubt he might be influenced by the Secretary of State for India. But I think that, as a rule, all men of marked ability and strong character would like to make their own selections.

The Honourable Edward Robert Lytton, called in; and Examined.

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5029. *Chairman.*] What post do you hold in the Diplomatic Service now?—At present I am Secretary of Embassy at Vienna.

5030. How long have you been in the diplomatic service?—I have been, as nearly as possible, 21 years. I find, on looking at the distribution of that time, that, oddly enough, I have been seven years unpaid attaché, seven years paid attaché, and seven years a secretary of legation.

5031. Are you aware of there being a considerable amount of dissatisfaction in your profession, with the state of it, as regards promotion?—I think there is at this moment, undoubtedly, a feeling of great discouragement in the junior branches of the service.

5032. Do you think that it is founded upon any substantial ground?—There can be no doubt that promotion is exceedingly slow; but I hardly see how what is called the block in the service can be obviated, unless you can induce people who have already got to the top of the tree to retire. When a man has worked his way up to a high diplomatic post, his retirement from it opens to him in England no position comparable to that which he occupied abroad, and therefore he has no great inducement to retire.

5033. If he retires he practically goes upon the shelf altogether?—Practically, he goes upon the shelf; he keeps up no connection with the public life of his own country; and in a pecuniary point of view he is a loser.

5034. Do you think that there is anything in a suggestion which has been made to us, that some of the junior members, or gentlemen rather in a middle position in the profession, might be tempted to go for a consideration, so as to relieve the block in that way?—There can be no doubt that if those gentlemen were induced to go, there would be a great relief to the pressure which is at present stopping the way.

5035. It is represented to us as a sort of abandonment of hope amongst the lower grades of the profession, because they see the upper grades filled with very little chance of vacancies for their own promotion; do you think that a correct representation?—Yes; I fancy that that really is no exaggeration of the state of feeling; and I must honestly say that as long as you maintain the present system of promotion by seniority, I cannot see how it is to be obviated. I think that a hard-and-fast system of seniority promotion is very discouraging.

5036. You would prefer to see a selection made by

he Secretary of State on his own responsi-
y?—Certainly; I think that the responsibi-
f the Secretary of State cannot be too com-
; the fewer rules that are made by way of
ing it the better.

37. Is there not a tendency observable in the
matic profession, on the part of those who
t the head of it and of the Foreign Minister
, rather to foster that seniority as on the
e a safe and easy way of promoting men?—
loubt it is a very convenient *modus operandi*
ne Principal Secretary of State for Foreign
irs.

38. At any rate, it relieves the head of a
t department of observations that might be
with regard to his selections?—Undoubt-
. I may say, that in conversation with some
have been Secretaries of State for Foreign
irs, I have occasionally ventured to bear wit-
to the ability of some of my colleagues with
n they were connected by family ties, and
riably the reply has been, "Yes, the man is
ry able man; but if I were to promote him,
promotion that he received from me might
nore injurious to him than otherwise." I
k that this feeling is so strong, and the public
racter of the Secretary of State so necessarily
ted by that of his appointments, that no ar-
ary rule of seniority is required to prevent
uritism or nepotism.

039. We have have had an opinion expressed
s on the part of some great authorities that
e might be a considerable diminution of the
rdinate staff, with equal efficiency in the
harge of the duties of the diplomatic servants
he Crown; should you be inclined to confirm
opinion yourself, with your knowledge and
erience?—The fact of the matter is, that as
as my own experience of a great mission or a
at embassy, the work is of an exceedingly
tuating character; there are some moments
n the strain is very strong, and there are
r moments when work is slack. Neither the
iods in which work is heavy, nor the periods in
ch work is light, can be foreseen; conse-
ntly, if a pressure of work occurs when the
bassy or mission is under-staffed, no doubt that
ates a considerable amount of inconvenience.
t in missions to which some permanent officer
ttached, I have generally found this inconve-
ace much diminished. On the other hand, in-
venience constantly arises from the fact that
gentleman who is really the organising head
a chancery, by the time that he knows where
place his hand upon every paper, and is per-
tly cognisant of the state of the archives, and
the whole routine of the chancery at his
gers' ends, is removed to another post, and his
cessor has to learn the working method and
tem of that chancery, which it generally takes
some time to do.

040. Then you would be in favour of a sug-
tion which has been made to us, that it is
irable at the larger missions to have a gentle-
n of the nature of a permanent officer con-
ted with the mission?—I think that this
uld very much depend upon the frequency with
ich the junior members of the service are
ved from post to post. I should not say, from
own experience, that a man's diplomatic edu-
ion is materially advantaged by frequently
ving him about whilst he is in the lower grades
the service.

5041. You think that a training in one court, in one circle of diplomatic action and ideas, is a better training than one derived from a variety of courts?—Well, my own impression is, that a man learns more by passing several years at a great embassy, a great centre of business, than by being frequently changed from one small post to another. I do not think that in the larger sense a young diplomatist has very much to learn from the minor missions to which he is sent. In the higher grades it is a different matter, because the question of a man's ability, whether in the diplomatic profession, or in any other walk of practical life, virtually depends very much on his power of rapid generalisation from details which are placed before him; but that makes it all the more important, I think, that a minister should find in the staff of his mission that amount of local knowledge which it is their business to accumulate, and his to employ.

5042. Then I rather gather that your idea is, that it would be to the advantage of the service if there were less frequent exchanges of the subordinate members, and that in consequence of the infrequency of those exchanges one or two of the subordinate members of the greater missions would acquire the skill or knowledge and experience which would be afforded in another way by having a permanent officer?—I think so; I have not carefully thought over that point; but I see that there is a difficulty with regard to a permanent officer, unless the position is very carefully defined, because all undefined positions very often lead to some amount of jealousy or misunderstanding. But I may mention that when I was at Lisbon, there was a gentleman employed, simply in the capacity of a translator to the mission at Lisbon. It happened that I was frequently in charge of that mission. He was an Englishman whose family was connected with the country; and his knowledge of the language and affairs of the country, his personal acquaintance with the men whom one had to deal with, his knowledge of their character, and his ability to give immediate information upon various subjects connected with the work of the mission, all rendered him so exceedingly useful that, with his assistance, I think I could almost have dispensed with any attachés at all. But fortunately, besides having that great local knowledge, he was a man of the most trustworthy character; and of course a very great element in the consideration of the utility of a man in his position would be his personal character.

5043. Was he a gentleman of the same class as the ordinary attachés at the mission?—No; and there is the difficulty which appears to me to arise in the consideration of how far officers of that class can be serviceably used.

5044. Practically, if you found a very efficient gentleman of that kind he would almost be a substitute for the whole of the minor and subordinate portion of the staff; at any rate, in a smaller mission he would do all the work, know all the people, and communicate with all the officers, would he not?—To a great extent he would, but I see no reason why the ordinary members of the mission, if left a sufficient time at their posts, should not be equally useful, and more so, in fact, in many ways; because this gentleman was hardly in a position which would have enabled me to ask him to go to the Minister for Foreign Affairs in case I were myself prevented from doing so, on the business of the mission; whereas the recognised members of the mission were all

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in that position, and that is a very material difference. Therefore, if they had the same local knowledge of the country, their utility would have been proportionately greater.

5045. That knowledge you would propose to aim at giving them by fixing them more permanently at the missions than they are now?—Yes, so far as such a system could be fairly and practically carried out, but I entertain a great disinclination to any positive system of hard-and-fast regulations in a service like diplomacy. I think the fewer rules the better in every way.

5046. I was going to ask how you would get over the apparent hardship of banishing one set of gentlemen to the minor missions, say in South America or the East, some remote and unsatisfactory portion of the globe, and sending the other and favoured set to the great missions?—Undoubtedly, that would be a hardship, and I do not think you can get over it.

5047. There must be some sort of compromise?—Unquestionably.

5048. Have you ever served yourself out of Europe?—My first post was in America; I was three years at Washington.

5049. With regard to the salaries of the diplomatic servants, we have had very general complaints laid before us, in the despatches written in answer to Lord Clarendon's Circular Despatch, of the deficiency of the public pay, and the great rise of the prices which diplomatic servants have to pay at times; do you concur in that?—Undoubtedly the value of money has decreased, and prices have risen all over Europe very much; so that salaries do not perhaps at this moment represent so much purchasing value as they did; there can be no doubt that the cost of living has very greatly increased in most places, certainly it has in the country where I am at this moment officially resident; even since the last campaign in Germany there has been a considerable rise of prices at Vienna; but I do not think that you can ever make diplomacy, by any scale of salaries, a profession which shall be pecuniarily profitable to any of its members; and there can be no doubt that in all the earlier stages of the profession, a man is spending his own capital. I do not know whether any junior member of the service has ever been able to live upon his salary; I know that I have never been able to live upon it myself; but I think that the natural compensation for that is a reasonably rapid promotion to higher posts, which represent many advantages that compensate the pecuniary outlay.

5050. The emolument is not the only consideration which a distinguished diplomat derives for his service; there is the power which he exercises and the distinction which he earns?—Precisely; whatever may be the salaries attached to the higher posts of the service, I do not think they can be based on the assumption that the recipient shall, as it were, recoup himself for the previous outlay of his private fortune; if he has a private fortune of his own, the salary ought to enable him to lay it by; but I do not think that any man in a representative character could put by any considerable portion of the salary he receives, without very much failing in that representative capacity.

5051. Then, as one of the profession, I rather understand you to contend that it ought not to be a mere debtor and creditor account of what is received on the one hand and expended on the other between the public and the Diplomatic Service, because, viewed in that light, there must always be rather a deficiency of payment than otherwise?—I think, under any circumstances considered in that point of view, the service must always be an underpaid service; at the present moment I think there is this difficulty in the way that the junior members of the service at present appear to be in the position of persons who have a certain claim upon the State which the State has recognised, but is scarcely able to pay. The examinations through which they have passed represent a certain value received by the State which entitles them to expect adequate remuneration as commissioned servants of the Government; but their payment is exceedingly small, and their chances of promotion are exceedingly remote; therefore, during the interval, a the junior members of the service are, I do think in a position which must naturally give rise to great deal of discontent from hope deferred and from a nominal, but at the same time an inadequate, payment for services rendered; it appears to me that the natural compensation to which a diplomatist looks is a reasonably rapid advancement to the higher branches of his profession not so much for the sake of pecuniary compensation, but for the sake of an agreeable position and one of increased public utility.

5052. I did not quite gather whether you expressed a distinct opinion or not that the staff of the larger missions could be fairly reduced and the work efficiently and rapidly done at all times or whether you think that the present staff, as far as your experience extends, is only sufficient for the bursts of hard work which occasionally you may have?—I should wish only to speak from my own experience of the missions I have been at; and I must honestly say, that I do not think they are over-staffed. I cannot consider such a question as this without expressing an opinion that it is extremely advisable that the natural difficulties which every member of our Foreign Service must experience in the endeavour to maintain his connection with his own country should, if possible, not be artificially increased; it seems to me very desirable that in all branches of the service diplomatists should be rather encouraged than discouraged to *retremper* themselves as often as possible in English ideas, by intercourse with their own country.

5053. We have had a strong opinion expressed from some high authorities, to the effect that it was essential that the diplomatic servants should occasionally refresh themselves and their views on public affairs by a visit home; you agree in that?—I think it is very desirable that a body of men who are to be the representatives throughout the Continent of Europe of the national mind of England, should be familiarized with it and maintained as much as possible in sympathy with it. Therefore, I think, that the more frequently they return to their country, and the more facilities they receive for maintaining that connection and sympathy with the main currents of feeling, and the great public life of their own country, the better it is for them, and the better it is for the public service.

5054. You do not think that much could be done to diminish the pressure by stopping the influx into the profession?—I merely mention that last point in connection with the number of the staff of the missions, because I think it desirable that the staff should be so organised as not to render it absolutely impossible for the juni

r members of a mission to take frequent , with a view of returning to their own ry.

55. One suggestion we have had is that the er of entrances into the profession might be derably diminished, and that, in that way, ately there would be less of a block, parrly if you took away some of the higher by buying them out of the service, than is now; but you think, as I rather gather, you could not very well have fewer entries e service than there are now, and that the er of unpaid attachés could not be dimid?—I am not aware of the total number of id attachés in the profession, but it certainly not appear to me that it would be desirable ve an arbitrary limitation of admissions into ervice; that is a question which can be best ed of exclusively by the Secretary of State elf. I do not think that any advantage would ained by arbitrarily fettering him with any rule.

56. The whole of your view, as I understand, r hangs upon that point of leaving the Seary of State to his responsibility and not ring him by fixed rules?—Certainly; my strong impression is that responsibility in y department of the service cannot be too t.

57. I rather gather also that you think some e present inconveniences have arisen from hands having been somewhat tied of late s by fixed rules?—I think decidedly so. haps I may instance a case with regard to t appears to me the diadvantageous effect of ority. I should not like to mention the name, at a post where I happened to be myself, n I had lately been appointed secretary of ition, I found a junior member of the mission e (I think he was a second or third secre-) whose knowledge of the language, and ve all, whose special knowledge of the temament and character of the people of that ticular country rendered him an exceptionally ful public servant at that particular mission; I remember that our Government had been some time in correspondence, and rather a greeable correspondence, with the Government that country in regard to the supposed illegal ture of an English vessel; we had, I think the circumstances of the case occurred before rrived at this post), demanded compensation for s seizure, but had been refused; we had then nanded a mixed commission to investigate the cumstances of the seizure, and that demand had en refused three times; and as there could be no estion of going to war for refusals of that kind, re the matter rested. It so happened that the ntleman whom at this moment I have in my nd, finding himself, by a combination of cirmstances quite exceptional, in charge of that ssion, obtained, solely by his personal inence with the Government, an agreement to a xed commission, which had been three times icially refused (I am speaking from memory; t certainly that was, more or less, what occrred); he was then appointed a member of that mmission, and it is entirely due to his exertions at we ultimately obtained the compensation ich had been repeatedly refused to demands ade in the conventional official form. Well, I ink this man has rendered a public service ich, if the hands of the Minister for Foreign fairs were not tied by a fixed system, would have probably advanced him in his career; but he could not be promoted then, and I believe he has not been promoted since. Vacancies are of rare occurrence: stupid men cannot be removed in order to advance clever ones, and for a junior diplomatist to leap over the heads of half-a-dozen others to a high post is against all the traditions of the service. It appears to me that cases of this kind must tend to general discouragement in a service where everybody feels that advancement can only take place by regular order of seniority.

5058. As secretary of embassy, do you consider that it is part of your duty to do any work in the chancellerie, or that it is merely your duty to make your reports, and to superintend the staff subordinate to you?—Again, with regard to that, I come back to what I have been saying as to the practical impossibility of laying down fixed rules; I think that the organisation of the work must be very much left to the peculiar circumstances of it. I may say, with regard to myself, that I have frequently copied out despatches and done mechanical work in the chancery, both as secretary of legation and as secretary of embassy; but, as a general rule, I should certainly feel much surprise and some resentment, if my chief, or the embassy in general, were to expect that, as a matter of course, I should employ myself in the mechanical work of the chancery, for which it appears to me the staff of the chancery should be sufficient. In the first place, after a man has been for many years doing mechanical drudgery, when he has risen to a higher and more responsible rank in the profession, which gives him a great deal of intellectual work to do, he has a just disinclination to be still regarded merely as a manual labourer on the staff of the mission or embassy; and in the next place, the duties of a secretary of legation are so very varied, and often so heavy, that I do not think he could, advantageously to the public service itself, be doing the ordinary work of an attaché, or second or third secretary, in the chancery.

5059. A statement that he had nothing to do would not be an accurate representation of the fact?—No.

5060. I am not only asking you with reference to yourself, but with reference to your experience when you were not in the same rank as you are now in?—I have found generally that the secretaries of legation were perfectly willing to do any amount of work in the chancery that was necessary under a pressure; but I do not think that a secretary of legation or embassy considers himself called upon as a matter of course to be doing the work required of the other members of the chancery.

5061. I want to draw your attention to this statement, made by a witness in answer to Question 4635: "The secretary of embassy when I was there" (that is, at St. Petersburg) "did nothing. It is an understood thing, and, I think, even Mr. Hammond stated it was an understood thing, that a secretary of embassy should not work in the chancellerie; they occasionally do work, but usually they do not." That you have already answered; then the witness was asked, "Is it the fact that the secretary of embassy has this position, that he is there as a sort of relay; when the ambassador is present he does nothing, and when the ambassador is away he takes the position of the ambassador as chargé d'affaires?"; and the answer is "I think that is understood by the Foreign Office; but very often a

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secretary of embassy, if there is any stress of work, will work if a good many are away on leave; but he will do it more as an act of good nature than anything else; he is not required to do it by the Foreign Office"; is that an accurate representation of the fact, in your view?—Confining myself to my own personal experience both with regard to my own conduct and with regard to that of others whom I have known, I must emphatically say that the statement that a secretary of embassy or legation does not work when the ambassador is present at his post is one which surprises me; it is certainly in total opposition to my own experience. I can say for myself that during the presence of the ambassador at his post at Vienna, my own work is considerable; I am not speaking of work on reports which as secretary of embassy I am expected to make, but of the work of the mission. In most instances the relations between the ambassador and the secretary of embassy are of such a friendly and confidential character that the secretary will undertake a considerable portion of the correspondence of the mission; at least, it has been so in my own case. Very often the ambassador will ask him to draft the whole of the consular correspondence or some particular branch of the political correspondence; in fact, there are a vast number of subjects connected with the current work of the embassy in which the secretary of embassy may be, and, I think, ought to be, actively useful to the ambassador; and I do not think that if he were simply copying despatches, many of which he has written himself, he would be so efficiently employed; it is merely a question of the nature of his employment, not of the amount of it.

5062. Viscount *Barrington.*] I suppose that as you are in favour of a considerable amount of leave being given, you would consider it right that the present system of leave to the heads of missions should be made similar to that granted to attachés?—Decidedly so.

5063. Namely, that two years should be run into one?—I think that it is more desirable, if possible, in the case of heads of missions than in the case of attachés, because it seems to me more important that the head of a mission should be encouraged to return home, and there are more reasons why he should be in personal intercourse with his own Government and the public men of his own country. If it is good that these frequent returns to England should be encouraged rather than discouraged, obviously it is more important that they should take place in those cases where the agent who returns is in a more responsible position.

5064. With regard to the expenses of living of the junior members of our missions in Europe, what is the smallest amount of private fortune that they ought to possess in addition to their salaries?—Well, my own impression is, that it would be difficult for a single man to live in most of the places where I have been, under 400*l.* to 500*l.* a year.

5065. Independently of the salary?—Independently entirely of salary.

5066. There are some places where the expenses are very much greater than at others; for instance, at Vienna, St. Petersburg, and Paris, I should imagine?—Undoubtedly; the only really cheap place that I can remember is Lisbon; but even there I should say it would be decidedly difficult to manage without a private fortune. I do not think that any second secretary, certain I should say no third secretary, could dream living upon his salary.

5067. It is necessary now, is it not, at Vienn for a young man to keep a carriage if he go about in society much?—I think that he wou find it difficult to go about in society with one; of course, when you come to speak about necessity, it is difficult to say what is necessar it depends on the point of view. I should mys say decidedly that it was.

5068. If I remember right an ordinary fiac is not allowed to go into the *porte-cochère* of any the large houses of Vienna?—No; only a priva carriage, or a hired carriage with two horses, allowed to enter.

5069. So that a young man who went abo much in society could not avail himself of t ordinary means of conveyance used in oth towns?—Undoubtedly; but what is frequent done, as you are aware, is this: what are call the fiacres there are a very superior class of c riages, very much like our private broughan and many people hire these by the month, ju as you would hire a brougham in London; in th case they are not numbered, but they form to intents and purposes private hired carriages. F a young man it would be better to hire a fiac unnumbered, and retain that as a private carria than to hire any other vehicle; but, in point fact, it would be exactly the same thing, as r gards expense, because a private unnumber fiacre would be to all intents and purposes private brougham, and would cost at the ve least about 20*l.* a month.

5070. I suppose you consider it very desirab that a young man in the position of attac should go into society a great deal?—I think most important.

5071. By doing so he can pick up a va amount of information?—Yes; I was surpris to see that Mr. West had expressed an opini that it was no advantage to an attaché or secr tary to go into society. I can only say, speakin for myself, that I have found the greatest adva tage from endeavouring to have as much soci intercourse as I possibly could in the countri where I have been officially resident; and I ce tainly think when you come to the case of secretary of legation or embassy, who may any moment be placed in charge of that missio it is most important for him to be on terms intimacy with a great variety of people in th capital in which he is officially resident; I ha found great utility and advantage from it.

5072. I presume that if a different class persons were employed from those you have present, there would be difficulty in obtainin that social information?—I decidedly think so.

5073. Are you satisfied with the present sta of the examination for the Diplomatic Service?—Well, if I may say so, I have no very gre faith in examinations of any kind; it appears t me that all you can hope to do by examin tions is to make a sort of sieve that will keep o gross ignorance; but I do not think that yo can make them a criterion of ability; it appea to me that fitness in diplomacy is depende upon so many other things besides what you ma call book-knowledge; it is dependent also upo temperament, character, manners, and habits life; it cannot be tested solely by scholast examination.

5074. But you would have a standard ex minatio

ation to keep out the ignorant?—I think so dedly; I have seen it mentioned that it was gested by Mr. Morier that Roman law should n the foundation of any system of study for omacy; and I must say, I think myself it ld be an immense advantage to anyone in Diplomatic Service to have a good knowledge hat subject.

075. And you would attach, of course, equal ortance to a very correct knowledge of nch?—I think that is a *sine quâ non*.

076. Have you found generally that young in the profession are well up in French in its branches?—I think so, as a rule; perhaps a regard to accurate French composition, re might with advantage be a greater general ficiency; but I should say that on the whole knowledge of French is generally very satisory throughout the profession.

077. You have not found any difference in t respect within the last few years?—I cannot that I myself have remarked any difference.

078. You have not been at any of the smaller rman missions, I think?—I have not been at of the smaller German missions.

079. Are you prepared to give any opinion ut the fusion of certain missions; because it been brought before this Committee that tain small missions in Germany are not very essary?—I should wish to speak with the atest possible diffidence on a subject of that d, because I really have no personal or practi- experience in the matter, and, therefore, I do think that I should be justified in expressing strong opinion on such a matter. I should, wever, regret to see a complete suppression of the small missions; it appears to me that the aller missions may at any moment become of precedented importance; for instance, at this y moment at which we are speaking, I can ceive that there are many reasons why the small missions which remain in Germany uld come to have an importance which a few nths ago they did not apparently possess.

080. Mr. *F. Stanley.*] For the same reason, suppose you would be of opinion that it is bad licy to keep a mission at merely the minimum ength required for the ordinary work?—I nk so.

081. And you would not be disposed to concur a recommendation, or rather a suggestion, de to this Committee, that clerks should be t out from the Foreign Office to complete the ff of a mission for the moment, supposing it be found inadequate for the performance of duty?—I own that for myself, I do not what advantage would be gained by that, and can see some practical disadvantages in it; cause practically the mere organisation of the chanical work in each mission or embassy is newhat different from what it is at others; and se who have been connected with the mission, d have acquired the habit of that particular ork, I should say were better persons to carry on than a man who has come out suddenly, and no, perhaps, has in his head a different system, nich may be a better, and may be a worse one, t which, in either case, is not unlikely to occasion some little confusion at first. I should say at practically it would be better that those who ve already acquired the habit of that particular gation or mission should go on with the work, an that the place of an absent member should be supplied occasionally by somebody totally disconnected with it.

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5082. Can you give the Committee any opinion as to the feelings of the junior branches of the Diplomatic Service on the question of exchange between themselves and the Foreign Office, as to whether they express a wish to exchange more frequently with the Foreign Office, and *vice versâ*, than is now the case?—I really can hardly speak from any knowledge of my own on that subject; I have occasionally known cases of attachés who have very much desired, for special reasons, without leaving their profession, and without being unemployed, to pass a year or so many months in England; that must frequently occur in the life of an attaché, and I have no doubt that they would feel it a convenience to be able to effect an exchange with junior members of the Foreign Office; but I really have so few opportunities of gathering any opinion upon that point from my colleagues, that I should be sorry to attempt to represent their views in any way.

5083. Mr. *A. Russell.*] Do you think that greater facility of exchange between the foreign service and the Foreign Office would be desirable?—It appears to me that no material change of any kind would be effected if you confined those exchanges solely to the lower grades both of the office and of the service; for whatever it is desired to secure by such a fusion as you speak of, it appears to me that it can only be effected if you carry the thing very much higher and go very much further with it. I feel bound to speak with great diffidence on that subject also, for I really know very little of the internal organisation of the Foreign Office; but I have often felt strongly myself that it would be a great advantage to the foreign service if the great heads of departments in the Foreign Office were men who have had personal experience of the practical conditions under which the instructions that issue from the Foreign Office have to be carried out. I also think that it would improve the fibre of the foreign service if it had a greater connection with the public life of the country; if, for example, the foreign ministers and the secretaries of embassy and legation were occasionally employed in the work of the office at home; but, at the same time, I see many difficulties in the way of introducing such a change, and also many dangers which would result if it were incautiously done. For instance, the Foreign Office is, at present, administered by men who cannot possibly have any personal interest in questions affecting the appointment or promotion of diplomatists; but if the superior men in the foreign service were disinclined to exchange its great prizes for employment at home, then, perhaps, these Foreign Office departments might fall into the hands of second-rate diplomatists. Now, if you had the Foreign Office administered by second-rate diplomatists, I do not feel at all sure that the able men who remained in the service would at all benefit by that; it might be quite the contrary. Therefore there are, no doubt, many adverse considerations to be borne in mind; but, on general grounds, my strong impression is that such a change, if practicable, would be advantageous, and that the more the Foreign Office can be internationalised, and the more the foreign service can be nationalised, the better it would be; but it seems to me that in that case you would have to begin completely *de novo*.

5084. Mr. *W. Cartwright.*] I think you said

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that there was a very general discouragement to the juniors in the service at the present time?—Yes, I think so.

5085. In regard to the chances of promotion in consequence of the block?—Yes.

5086. Have you any practical suggestions to make in order to get rid of that block?—I ventured to say, just now, that the present block may arise out of purely temporary circumstances, because a certain number of missions have been suppressed, and so forth; but that there will always be a tendency, I think, to what is called a block in a service such as ours is, and I think that a fixed seniority system tends very much to perpetuate it.

5087. Then do you think that when you find fault with the principle of seniority, that is a feeling that is generally entertained by your contemporaries in the service?—I should say that in the higher grades of the junior members it was very strongly entertained; in the initiatory ranks of the service I think not.

5088. Where would you draw the line between what you call the initiatory ranks and the higher grades?—It is obvious that when a man first enters the service he can have no particular opportunity, as he is really learning his trade, of bringing himself forward, and the fairest mode of advancement for him he would consider to be advancement by seniority.

5089. But this matter of the block must have been very much considered by your contemporaries; they feel themselves face to face with a block which is, I suppose, mainly brought about by an accumulation of superiors who are occupying the prizes. What do you think is the general feeling on the part of the juniors in regard to this block?—I think they really are very much discouraged by it at this moment, but unless you can induce men to leave the service, I do not see what is to be done. There are at present only two ways by which relief can come to the block in the service, namely, by death and retirement.

5090. Do you think that the service is menaced with losing many of the juniors or some of the juniors, in consequence of this block?—I think so; three or four men who I think would be a considerable loss to the service, have spoken to me with so much discouragement of the prospect before them, that I think there is very considerable danger of losing them, and they are among the very best men in the service.

5091. They are seriously meditating retirement?—Yes; I can say that that is certainly my experience.

5092. Do you think that promotion is more rapid in other diplomatic services than in ours as a rule, according to your experience?—I should say that there are in all foreign diplomatic services a great number of men who never seem to rise, and never seem to expect to rise; but with regard to those who do, I think that greater leaps are made than in our service.

5093. Then the principle of seniority does not obtain in those services, I suppose?—Well, I think, to a certain extent it does; but, I think, it is subject to much greater exceptions.

5094. Up to a certain point it has been absolute with us since 1861, has it not?—Yes, I know of no exceptions.

5095. And, I apprehend, that that is not the case in foreign services?—Certainly; I do not think it is.

5096. That is the marked distinction between them and our service?—Yes.

5097. And it enables the men of merit to rise more rapidly, and to obtain the reward of their exertions more surely in foreign services?—Undoubtedly.

5098. I think you expressed an opinion that the examinations were really not of any great value in ascertaining the positive qualifications of a man?—I think that you can keep out ignorance by an examination, but I do not think that you can find any real criterion of positive qualifications in it.

5099. But you think it very essential that there should be kept up a certain periodical interchange between the foreign atmosphere and the home atmosphere?—I think it very essential; in proportion as we are naturally insulated, the more you can keep up the international fibre in our country itself, and the greater body of persons in the country that you can interest in foreign affairs, decidedly the better.

5100 There has been some evidence given before this Committee in regard to the advisability of keeping members of the Diplomatic Service who have acquired great and special knowledge of certain countries, permanently, or at least a good deal, in those countries; would not that rather be contrary to the principle which you at this moment are advocating, of their returning to England periodically; would they not become stereotyped if kept in those countries?—Undoubtedly; I should be sorry to see the class of foreign servants too greatly localised. I think that they ought often to mix with people in their own country; but, at the same time, I think that considerable practical inconveniences arise from continually changing the localities in which the junior members are employed.

5101. All that tends to show that it is very essential in this service to invest the Secretary of State with very great discretion?—Undoubtedly; I think that cannot be too much remembered.

5102. It appears to be a very delicate matter to adjust the detention and the removal; it requires great delicacy of judgment to decide in what case an individual should be kept at a post and in what case he should be removed?—Precisely; and I do not think you can generalise on such points as that. I think everything must be left to the individual responsibility of the Secretary of State, who would act with a knowledge of the peculiar circumstances, which admit of no previous rule on the subject.

5103. But I think you gave a very strong opinion against the temporary loan of clerks from the Foreign Office to missions in cases of emergency?—What I meant was this, that if you desire to effect a total change in the character of the foreign service and the Foreign Office, it appears to me that this change would not be carried out by a simple exchanging between the junior members of the foreign service and the junior members of the Foreign Office. With regard to the temporary loan of clerks from the Foreign Office to do the work of secretaries or attachés abroad, I really do not think that the mechanical work of a chancery abroad would be better done by a Foreign Office clerk, temporarily sent out, than it would be by the person at the mission itself.

5104. Have you observed at all whether the system prevails in the French legations of having a permanen

rmanent chancelier?—Yes; and I must say my strong impression is that he is a very ful person. It appears to me that not only is very useful member of the French missions hich he exists, but also wherever I have seen loyés of that kind in our own service, they e always been the most useful men at the ion.

105. They are general in the French service? es; occasionally you will find in a mission there is some man, as I said before, who is sort of nondescript official position, but whose wledge of the country, and of the papers in office, and so forth, renders him peculiarly ful.

106. You have not observed that in the nch missions there is a tendency on the part hose officers to become stereotyped and rooted he country, and to acquire special and pecu- interests in the country?—I think there is er that tendency. As far as my experience s, I should say that the French chanceliers not very frequently moved; they are re- led as a totally different class of public ser- ts; they are not considered as belonging to t it is called the diplomatic profession at all, in French service.

107. They are more or less like our drago- ns in the East?—Yes.

108. Sir *H. Lytton Bulwer.*] Mr. Cart- ght asked you whether the feeling amongst junior members of diplomacy was favourable he principle of seniority or not; I suppose t if you were to poll them, you would find t the clever ones were not in favour of it, and t the stupid ones were?—Precisely.

109. Therefore it is a principle that acts in our of the stupid ones, and against the clever s?—Yes.

110. You, no doubt, remember the times en you were attached to me in Italy and the ited States; when we were in the United tes together, I think the mission consisted r. Crampton going away) of Mr. Pennell and rself, and myself?—Yes.

111. Had we a great deal to do then?—An nense deal.

112. And did we get it done?—I think we through it very well.

113. You were with me in Italy also?—I s.

114. I think that the mission then consisted r. Barron being away, and Mr. Stuart being ay) of yourself and Mr. Wolff, and me?—I nk it did, unless Mr. Macdonell was attached that time; I do not know whether he was then ached or afterwards. I think, at any rate, ring a portion of the time he was not there.

115. We had at one time, if you remember, great deal of business to do there; you remember about that affair when an Englishman was cut down in the streets?—Yes.

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5116. You found that we got through the business there?—Yes, I think so, perfectly well.

5117. Mr. Cartwright seemed to consider that there was something antagonistic in the questions which he put to you between being moved from place to place at frequent short intervals, and coming home from time to time; what I understood you to say was that you thought that members of diplomacy ought to come home from time to time, but that upon the whole without saying that they ought to remain permanently in any place, there was an inconvenience in very frequently removing them?—Yes; for instance, an attaché, or second or third secretary, who has just made himself acquainted with every paper in the office, and knows where to lay his hands upon it, who has just got his register into perfect order, is suddenly sent away, and another man takes his place who does not even know the system of work in that chancery, and must necessarily pass a month or two in getting it up before he can be equally useful.

5118. Mr. Cartwright also asked you as to the advisability or advantage of having a chancelier, and he asked you whether if a man remained long in one place he would not become as it were stereotyped in it; I presume you think he is the sort of man who ought to be stereotyped?—Precisely; the more you stereotype him the better.

5119. For that reason you should make his local knowledge of use without consulting his local opinion?—Yes.

5120. Mr. *Cameron.*] In answering Sir Henry Bulwer as to the strength of the Legations at Washington and Florence, did you mean to give the Committee to understand that, in your opinion, the chief and two junior members would be a sufficient staff at a place like Washington?—No doubt, people very often find in private life that the more servants they have the worse things are done, because each servant says, It is not my place to do this or that; and, I think, if you lay down a hard rule that it shall be the business of this member to do that particular portion of the work, and of somebody else to do another portion of it, the work will be less well done than it would be by a smaller staff who are always pulling very well together, and who are all equally anxious to put their shoulder to the wheel. But as I have already said, I think it is of importance that attachés and secretaries should be enabled to take frequent leave without putting a stop to the work going on; and, therefore, I think it desirable that there should always be at each great mission or embassy a sufficient number of men to carry on the work when one or two are absent, by those who remain working with a little greater activity.

The Right Honourable Sir Henry Earle Lytton Bulwer, G. C. B. (a Member of the Committee); further Examined.

5121. Mr. *Eastwick.*] I think your answers several questions rather pointed to a reduc- n of the number of the staff, or at all events the paid staff of missions?—I cannot say that have in my mind the exact number that is em- oyed at all the different legations; but my neral opinion is, that a smaller staff, I speak of paid regular staff, would be much better for the service, and much better for those who serve.

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5122. And I think also you are in favour of giving still greater power of choice to the Secretary of State, with a view to his filling up the higher appointments in the service, not according to seniority, but according to his view of what is best for the public service?—He has that power,

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but I am in favour of his exercising it; and I think that the abnegation of that exercise by merely naming people in rotation necessarily entails that out of every four that you name to a post of any mark you name three who are inefficient.

5123. That being the case, I would ask you whether, as there would be a considerable change in the service, supposing that the Secretary of State was to use those powers, and to fill up appointments only according to his views of the merits of persons, passing over the seniority question, you do not think that it would be fair to give gentlemen on the staff at present an opportunity of retiring on a moiety, or on a proportion of their pension, or a gratuity, if they wished to retire?—I think that any persons who had not obtained promotion, or were not satisfied with the situation which they held, after a certain number of years in a subordinate post, ought to have an opportunity of retiring upon a very fair and adequate allowance. I said before, I think, and that perhaps best explains my idea, that to be really minister of England, at a post of any importance, is a situation which requires a man of very considerable ability; he is matched there with the first men in the country to which he goes; I do not think that every man who goes into diplomacy is a man of considerable ability, and therefore I think it very advantageous that before he gets to that post which requires considerable ability there should be some way of letting that gentleman escape fairly and honourably, but still escape from a situation which he is not competent to fill.

5124. I do not know whether you have noticed the fact, that in the Indian Civil Service, within the last few years, they have allowed civilians to retire after a much shortened period of service, in case of their health failing; now would you not think it right that in cases where from being employed in bad climates, such as South America or China, the health failed, diplomatic officers should be allowed to retire earlier?—If it were quite certain that their health had failed, I would say, yes; but as doctors' certificates are given rather easily, I think we should be by such a rule encouraging *malades imaginaires*, who would easily persuade themselves they were ill when they did not like their posts. In short, I think that in that, as in other things, a great deal of discretion should be left with the head of the department.

5125. Mr. *Otway.*] Have you thought of any term of time, and of any portion of the allowance; did I rightly understand you to say a moiety?—I did not mention any sum. There is a regulation now by which a secretary of legation who is not promoted after a certain time, receives an additional salary; I think, then, following the same principle, that if a secretary of legation does not get to be named minister, and wishes to retire after he has been a certain time (10 years, I think) secretary of legation, he ought to be allowed to retire upon two-thirds of the salary that he has received as secretary of legation or secretary of embassy; the latter case would be rare, because a man rarely gets to be secretary of embassy unless he is fit for promotion afterwards.

5126. Would not that be placing him in a most strangely favourable position as regards other services; for instance, generals or admirals who have to serve 30 years before they can get anything like that pay?—You are not asking me about other services, and I am not a fit person perhaps, to give an opinion as to them. You are asking me what I think fair or desirable in the Diplomatic Service. I say that I wish to get rid of those persons who are very competent as subordinate officials, but not competent as persons in a superior position; and I wish to get rid of them before they get to that position, with a fair consideration for the number of years that they have dedicated to the profession if they wish to leave it; but my opinion is, that men used to diplomacy, and who get as high as secretary of legation, would very often be content to remain; indeed, a man said to me the other day that all he wished was, to be left where he was for the rest of his life; he was perfectly satisfied.

5127. But as that recommendation of yours in order to be effective, would require the consent of Parliament to an increase of pay such as you recommend, in order to bring about this retirement, do not you think that it would fail to commend itself to Parliament in consequence of the singularly favourable position in which you would put gentlemen of the diplomatic position with regard to all other professions?—I should begin by saving the country some money, because I should very much reduce the number of those persons who were paid; and then again I think that it is more advantageous for the country to pay a certain sum and to get rid of a man, than to pay a great deal more, and to have him in a post where he may do you a great deal of mischief. It is a choice between difficulties; but when I say a certain sum, of course I only say that loosely and indefinitely; it would be for the Minister for Foreign Affairs consulting with the House of Commons, and the general feeling of the service, to determine what it should be; I merely lay down the principle.

5128. Mr. *Eastwick.*] You said, in answer to Question 4865, that you think a minister ought to be allowed to have a private secretary; would you see any objection to his being allowed also to nominate at all events one unpaid attaché, any gentlemen that he might know of considerable abilities and otherwise qualified for the service who should reside with him in the capacity of unpaid attaché?—I think it would be very desirable that he should have the opportunity of suggesting such an appointment to the Secretary of State for Foreign Affairs; but if he was to name any person of his own accord without that consent, he would place him in a very awkward position, both with the Secretary of State, and with the other persons employed; still, I think it very desirable that the Minister for Foreign Affairs should consult the ambassador or minister of the place as to the sort of assistance that he wants, and that he should be ready to take his recommendation.

5129. I observe, from your answers to two or three questions, that you seem to think that it is desirable that diplomatic officers should remain rather longer in their stations than they do at present, and that there should not be a very considerable change from one post to another?—There has been a new regulation established, which I think, as a regulation, is exceedingly bad, viz., that gentlemen should be moved after a very short period of time; I think that, as a rule, is very bad, because I think that, generally speaking, they require some time to learn the place and make themselves useful there; and if you take them away directly they have made themselves

nselves useful, and carry them somewhere , and they have to learn again the same thing ll the different places to which they go, they not give their full amount of usefulness to country; but I do not mean to carry that to exaggerated extent, and say that a man uld remain all his life in a particular place.

130. Do you see any objection to making, as were, three great circles of diplomacy; for ance, Europe, taking with it North America, n South America, and then the eastern coun- s, China and Japan; because, I suppose, that expenses are considerably greater on the ole in Europe than they are in South Ame- a or in China, and that, therefore, many gen- nen who would not have sufficient means to in Europe, would be tolerably comfortable South America or in the East?—I must say t I speak without any practical knowledge on subject, but I should say that the China and pan services were services very much by them- ves. In regard to those circles that you ak of, I think that it would be very desirable the Minister for Foreign Affairs had some- ing of that kind in his eye; but at the same ne I should be loth to make an absolute rule, cause a great emergency might arise, when u might wish for a very clever man; then it nifies little where he has been; a very supe- r man will do well wherever he is put, and I ould not like there to be a bar to his being ployed anywhere.

5131. My question is particularly put with ference to another question, which I will put w, and that is whether you do not think that ere ought to be some compensation to officers ployed in China and Japan, and in other bad imates by shortening their period of service for pension?—If you make those special services, en the men who went into them would mea- re the disadvantages and the advantages; but rhaps it would be fair to make some allowance r the bad climate, if it is a very bad climate, of ose places. I should be loth to express any sitive opinion on that point, because I do not now the climate.

5132. Of course there are other disadvantages; ere is being shut out from European society; ere is living in a semi-barbarous country, and ere is also considerable risk to life in some of ese places?—I think that it would be difficult make the distinction, for when you enter into service you enter into it to go almost wherever ou are sent; for instance, a man has a weak nest, and it might do him a great deal more arm to be sent to St. Petersburgh than to be nt to China; and I think that if you laid down ose absolute rules you would create difficulties.

5133. You would leave a great deal therefore the discretion of the Secretary of State?— es.

5134. Mr. *W. Cartwright.*] There is also in ose services an exceptional chance of rising, is ere not?—Yes; look at Sir Rutherford Alcock, r instance; a man gets on much quicker, and he is not content with that particular place, he much more sure of his place, because there are uch fewer persons that can replace him.

5135. Mr. *Eastwick.*] In answer to Question 913 you said, "The American diplomatist comes nto the field with a very great advantage that e have not," as to the tone that he assumes; I ish to ask you whether you do not think that it ould be very much better for the public inte- rest if our ministers in some countries, for instance in South America, were allowed to assume a stronger tone; and whether it is possible to obtain the settlement of questions, as long as we are obliged to take a lower tone than the representatives of other countries?—Naturally, if you take a higher tone, you will get your questions much easier settled; but at the same time, you must remember, when you take that tone, that the country may back a minister who refuses to support you; it is no use to bark if you cannot bite. Now, in America, when a man takes that tone he is generally taken up by his countrymen; and they appear to have a stronger national spirit leading them to vindicate the honour and dignity of their country than exists at this moment in our own, and therefore they have greater influence. I said, in reference to this subject, that if you were to take the English diplomatists and the American diplomatists, I think in most cases, perhaps, the English diplomatist would be the most able man, better acquainted with the country, and better able to do what is required; but at the same time, he cannot use the tone and speak in the manner that would very often procure success for the Americans. And therefore when people say, "Look at the American diplomacy, see what they can do," it is unfair to make that a test as to the relative ability of the two services.

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5136. But do not you think, from your knowledge of these Governments to which I have alluded, that if we showed ourselves decided in one case, we should probably have less necessity to use that tone in future?—I think so; not only with those Governments, but with all Governments; I am convinced that you would give yourselves a great deal less trouble, and run much less danger, if, in cases where you were right, you held a high, firm language.

5137. With regard to the Persian transfer, when you were Ambassador at Constantinople, were there many matters connected with Persia referred to you?—Yes, several; one or two which I settled when war was impending.

5138. Questions of frontier, I think?—Yes; in fact, in one case, I think the Persians had advanced over the line of frontier claimed by the Turks. I certainly felt it easier to settle those questions, knowing that the Persian question would be referred to the minister under whose department I was. I should not have been so perfectly at home if I had thought that it depended upon the Indian Board. My idea in regard to the Persian Mission is, that it is better to leave it under the Foreign Office, but that the Foreign Office ought to consult the India Office, and that great deference should be paid to their recommendation as to the class of persons best fitted to be employed there.

5139. With regard to the ground on which the Embassy-house at Constantinople is built, does that ground belong to us; do we rent it, or is it granted to us by the Sultan?—The Sultan granted it to us, but he granted ground at the same time to the ministers of nearly all countries, and it has happened to me to know and hear directly from the principal authorities that it is perfectly indifferent to them whether you part with that land or not; and several of the missions have parted with a portion of their land, and built a good house instead of a bad one upon the remaining ground; all that they wish is, that you should have facilities for having a proper re-

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sidence. And if you ask me my opinion as to the question of the embassy at Constantinople, my own private opinion certainly is, that to build a house exactly on the model of the former one, I should even say to build one on the same site, but certainly to build one on the model of it, would not be advantageous; because, as I daresay you know, it is an immense palace; you cannot inhabit that palace properly upon the salary which the Government gives you, and you could live much more comfortably, and be able to live much less expensively, if you had a large suitable house, but nothing in the shape of a palace.

5140. Would that not take away a little from the dignity and prestige of the English Ambassador there?—I think not, because a house, well kept up, of moderate dimensions, or fair size, gives you greater prestige than having a palace which you cannot keep up.

5141. Mr. *Kinnaird.*] Is it absolutely necessary, do you think, to have two residences at Constantinople?—Well, I really think it is, and I will explain to you why, particularly if you have a palace in the heart of Pera. Certainly you can hardly live there in summer, and then nearly all, I may say all, the ministers, and all the foreign diplomatists live out of Constantinople, and it would be very inconvenient if you alone lived in it; but if you had a palace where, at the time when I was secretary of embassy, I wished to have it, that is upon the Bosphorus, at the bottom of Constantinople, where you are near all the merchants, and where you are in easy communication with all the ministers, I am not certain whether then one palace would not suffice, as one palace pretty well suffices for the Sultan.

5142. With reference to the present emergency, would it not be well to avail ourselves of the existing circumstances to get a site for the Embassy in such a place as would render the necessity of keeping up two houses less imperative upon the ambassador?—My own opinion is a very unpopular one, and therefore I express it with a certain degree of reserve, but my opinion is that it would be desirable if it could be obtained. When I spoke, it could have been obtained. You would then have had a palace near where the Sultan's palace is situated now; you would have been near all your affairs, and near Galata, and would not have had that immense hill to mount, and you would have been on the Bosphorus, and to a certain degree in the country; but such a site is more difficult to obtain now. I suggested as to the palace at Therapia that you might have sold the house there, the garden of which is an immense wilderness, and got a far better house near the same spot for half the money, and the rest, in my opinion, might have been put by, and been sufficient to cover the annual expenses of the Embassy for a considerable time without coming to Parliament.

5143. Were these views embodied in a despatch?—I forget whether I wrote a private letter or a despatch; still, I expressed those views at the time, though I did not like to take upon myself the responsibility of carrying them out; and, therefore, I suggested that a Committee should be formed, and I think there was a Committee, and it decided that the proper thing would be to build a fine palace on the site which we occupy, perfectly regardless, of course, of the expense.

5144. There can be no doubt, I suppose, that the two houses add very greatly to the charge of the embassy?—I do not know that the fact of there being two adds so much as you imagine. There is the expense of moving backwards and forwards which is the chief expense, but otherwise the establishments are the same. The expense of the establishment that we have now at Therapia is very large, the waterworks being in a very bad state while I was there, and requiring constant outlay.

5145. We gathered, in your evidence, that you have been in the habit of employing a private secretary. Did you ever apply to the Foreign Office for their sanction to that, or was it entirely at your own expense?—Entirely at my own expense; but it was always known, and Lord Palmerston very well knew who my private secretary was, and so did Lord Malmesbury and other ministers; and eventually the gentleman I had with me for the longest time was adopted into the service, partly at my recommendation, partly at that of Lord Normanby who succeeded me at Florence.

5146. You strongly recommend recurrence to the old practice of the ambassador having a private secretary?—Yes, I am satisfied that where there was much to do that would be the best way of getting it done.

5147. And it would be economical?—Yes, insomuch that if the minister has that assistance, and pays for it, he wants less assistance that the Government pays for.

5148. It is understood, is it not, that it is in the power of the Foreign Minister, in the case of misconduct, or a man being incapable, to dismiss him from the service?—He has not only the power of dismissing you if you are doing ill, but he has the power of dismissing you if you are doing perfectly well; he has a perfectly unrestricted power of sending anybody out of the service that he thinks proper.

5149. I think we may gather that in the course of your experience, you have fallen in with many members of the service who have shown a thorough inaptitude for the service; would it not be well if that power were exercised in the case of such men?—I should not say that exactly; I should say, speaking of the ordinary posts, that the gentlemen who fill them are very fairly qualified to do so. As to the very high posts, undoubtedly sometimes men arrive there who I do not think are perfectly up to the mark; but I would not say that under the system which we have followed it would be quite fair to remove them, because they have not been named there on account of their capacity, but because they have been somewhere else, and therefore they were advanced there, but if the Foreign Minister found an ambassador or minister for one reason or another not the best person to be there, of course he should exercise his power in removing him.

5150. When men are kept a great number of continuous years in smaller places it is for that reason probably, namely, that they would not be able to meet an emergency?—It would be an invidious thing to say, but, I suppose that the Minister for Foreign Affairs, who can judge better than I can, when he does that, keeps them there for that reason.

5151. Would it not tend to the relief of the block if those who are no longer of benefit to the service were removed?—They can be removed now; but as to the gentlemen who now fill the higher posts I should be very wrong if I expressed any doubt as to their competency.

5152. Mr.

5152. Mr. *R. Shaw.*] Who is the owner of the ... that you suggest as the proper one for the ... Embassy at Constantinople?—I do not know ...ll.

5153. What is the difficulty that you have sug...ted in the way of obtaining that site?—Because ...perty there, as elsewhere, is valuable, and it ...y be occupied by persons who have got houses, ...d so forth, on it; at the time that I first spoke ...it it was not built upon; since that time it has ...en.

5154. Would there be any difficulty in selling ... house at Therapia?—You would have got a ...y large price for it if you had sold it formerly, ...t there are crises at Constantinople which ...eatly affect prices, and may do so now.

5155. Mr. *Rylands.*] With respect to open ...npetition, you expressed an opinion, I think, ...her adverse to that, and you made a remark ... this effect, that "You cannot test by com...titive examination the fitness of a man for the ...culiar profession of diplomacy." From your ...perience, are you able to tell us whether you ...nk that practically the present system of ap...intments to the profession tests a man's fitness ... diplomacy?—I think that a minister has the ...wer, if he exercises it properly, of selecting ...rsons who would be well fitted for diplomacy; ... do not say that he always does choose the ...st; of course, he can only take a bird's-eye ...ew, because you cannot tell what a man will ...come till you try him; but under a system of ...mpetent examination you might have persons ...ho pass the best examinations, and who yet would ...t be the best persons to enter into that par...ular profession.

5156. But do not you think that there might ...e a mode under which, after persons had passed ... competitive examination, there should be a ...eriod of probation, in which their fitness of cha...cter might be tested?—When they were once ... the profession they would say, "It is a very ...ard thing, now that we have got in here, to turn ...s out." But it is difficult to describe, as any ...erson who has been in the diplomatic profession ...an say, why a particular individual is unsuit...ble; it may be his manner; it may be what ...he vulgar people call the cut of his jib: I cannot ...ell you what it might be, exactly, but there ...ight be cases here and there in which a man ...ight pass an excellent examination, and yet he ...ould not be exactly the person that you would ...ut into that particular profession.

5157. But, practically, I understand you to ...ay that persons of this unfitness do get in now; ... suppose it is not the case that every person in ...he service has the exact qualities that you de...ire, even now?—I think it is a different thing; ... think that now persons very often get in who ...certainly are not fit for the higher walks of the ...profession; but I think that those who come in ...are fit for the lower ones. But you might find, ...f you adopted the course which you suggest, ...hat they were not exactly the persons whom ...you would like to have, even in the lower ones. ...Take manner; take a variety of things which it ...is difficult to describe.

5158. At all events, we may quite take it as your opinion that the number of juniors in the Diplomatic Service is more numerous than we require?—I think, myself, that you have more men who enter the profession with the view of making it a profession, and whom it thereby becomes incumbent on the country to employ and advance than are required; and my opinion is decidedly that it would be better for them and for the service if the number of persons regularly and professionally employed, with claims on the service as belonging to the profession, were kept as low down as possible.

5159. Would you see any objection to the plan of making the ranks in the Diplomatic Service, up to the position of secretary of legation, equivalent with the ranks in the Foreign Office, as regards position and pay, so as to secure such a perfect amalgamation of the services as to enable the Foreign Minister to employ members of the Foreign Office, or of the Diplomatic Service, either at home or abroad, permanently or temporarily as he might think fit?—I do not think that there is any very great difference between the two now; this is the case with the Foreign Office, if I understand rightly, that you are certain there of arriving by seniority to certain positions, and you live, of course, in England; in the foreign service you are not so certain of arriving at those positions, and you live abroad; but I do not think that there is any very great difference in point of pay between a secretary of legation and a clerk in the Foreign Office.

5160. However, if there is any difference which would interfere with a complete amalgamation in the way you put it, you would not see any objection to removing that difference so as to secure a complete amalgamation?—If I did not by that means lower the salaries of the Foreign Office service below that which they ought to be.

5161. The suggestion which you have made rather, I think, goes in the direction of making the position of secretary of embassy or legation a more valuable one; is it with a view of making it to a greater extent the culminating point of the diplomatic profession?—I do not see that I make it a more valuable one, because now by seniority these gentlemen would be moved from the position of secretary of embassy or legation to the position of minister or ambassador. If I thought that they were incapable of being moved to those higher positions which require qualities of a perfectly different kind from those which suffice for a secretary of legation or embassy, I do not think that I should make their position more advantageous by saying that after a certain time they might retire on an adeqaate allowance.

5162. But would you not adopt some means by which the incompetency of persons in the Diplomatic Service should be found out and tested before they arrived at the position of secretary of legation?—I do not know that I would, because my experience tells me that you never know what a man is until he is tried. Responsibility is the great test of capacity for action. Now you have that, you know, with a secretary of legation, because he is at times left as chargé d'affaires; of course, if there is anything very important going on, and the minister at home knows that he is not perfectly capable of carrying it out, he either does not let the minister there come home, or he sends him out again as soon as a peculiar case arrives; but if he is capable, the minister at home leaves him there, and then you have an opportunity of ascertaining whether, as chargé d'affaires, he is capable of exercising the functions of ambassador or minister; you have the test in its most practical shape.

5163. Up to that point you think that you do not

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not get a sufficient test to decide on a man's fitness?—I do not think that you do.

5164. You gave an answer the other day as to the undesirableness of having so many ranks of under secretaries of legation. I think I understood you to say that they were multiplied too much. Do you not think that by a greater equality in the division of the work in the legation you would have a better means of testing the qualities of the members of the legation?—If a man is moved every two years you must take a flying shot at him; you hardly know what he is. If he is remaining a long time under you, you would form an opinion pretty well. I say to a man, "Make a report," partly to test him, as well as to get the information, and I should thus get an opinion about him; but I do not know that the Foreign Office would take my opinion as a good one.

5165. I am assuming that your plan for preventing the constant transference of the junior members of legation were carried out, and assuming that they were more continually under the notice of a minister, and assuming also that the opinion of that minister prevailed with the Foreign Office in relation to the character and competency of his staff, do not you think that there might be a test of fitness before a man got to a position of secretary of legation?—You might be able to test certain qualities, but there is the quality of action, which you never can test till the man is in action. There is prompt decision, seeing clearly what you want to do, and a variety of things of that kind, which you really cannot test till you see a man in a responsible situation.

5166. But if you found a man who was stupid, or careless, or indifferent, you could at all events prevent that man being secretary of legation?—I could detect incompetency, but I could not be certain as to full competency until it was tried.

5167. That is to say, you would be able, probably, to tell, when a man was under secretary of legation, if he was not likely to have the capacity that would be required in the position of chargé d'affaires or minister, and therefore you might stop his promotion as secretary of legation; but yet a man promoted to that position might prove to be deficient in qualities for a still higher post?—I might form in my own mind an opinion that certain men were advisable to try in the position of secretary of legation, so as to test their further qualities for further promotion; and, if my recommendation was listened to, I being the chief of the mission, I think that there would be a fair chance that I was right.

5168. And you would also consider that the chief of the mission should prevent by his opinion the appointment of an incompetent person to the higher position of secretary of legation?—I would not take upon myself to say that he ought to overrule the Secretary of State for Foreign Affairs, but he ought to have an opportunity of giving his opinion; now he has not.

5169. Is it the fact that the Secretary of State, I mean, of course, the Foreign Office, have the impression that they can form an opinion in regard to the members of legations abroad, equally well, perhaps better, than the head of the mission himself?—Well, I speak under correction, but it seems to me that there is rather a jealousy on the part of the Foreign Office, as a department, of the ambassador's opinion.

5170. It is the fact that they do not encourage it, at all events?—They do not encourage an ambassador to express his opinion.

5171. I suppose you would consider that if the head of a legation could express an opinion to the Foreign Office in such a manner as might affect the future promotion of his subordinates, that would give to the head of the mission a very desirable control over those under him?—Yes: there are many who would try to shirk it, because it places great responsibility upon a man; but at the same time, if he exercised that responsibility with due courage and sagacity, it would be a great help to the Minister for Foreign Affairs.

5172. Do not you think that, having to deal with a state of the service which is now pretty much admitted to be unsatisfactory, in order to get out of it we must impose a great amount of individual responsibility on the heads of missions?—In my view we have got into very great difficulties by not making our ministers of late years sufficiently responsible; and if you like I will give you two or three instances. Take the American affairs. When Lord Derby came into office he was certainly desirous, if possible, to reconcile the two countries. What would a sensible man, unfettered by bad advice, have done in that case? Why, supposing that it had been Lord Palmerston, he would have written to the head of the mission at Washington, and he would have said, "Well, I want to make up these matters with the United States if I can, but I do not choose to make any proposition that will not be accepted; go and have a talk with the minister for foreign affairs there, and see what it is that would be accepted, and give me your opinion." Well, I venture to say, knowing something of that country and its people, that I could have gone to the minister of foreign affairs at Washington, and have come away with a perfectly clear idea in my own mind as to the sort of proposition that would succeed, and the sort of proposition that would not; and therefore the responsibility would have been thrown on me as to the course that the Government at home could adopt; but it would have been giving a great deal of power to me, as minister, and showing a great reliance on the minister at Washington. Instead of doing that, Lord Derby, apparently without consulting our representative in the United States, makes a proposition of his own, which directly it gets to the United States is refused, and was certain to be refused, because he said our Government will give this, and will not give that; and anybody who knows anything of negotiation knows that directly you say what you will not give, that becomes at once the important point in the mind of the person that you are dealing with, particularly in a country like America; and therefore the thing which Lord Derby said he would not give arose into supernatural importance in the minds of the Americans, and became the cause of all the differences that we had afterwards. Then, Lord Clarendon came into office; a negotiation was going on with Mr. Johnson here; I ventured, as I stated to the House of Commons at the time, to express an opinion to Lord Clarendon, that it was unwise to settle the question here with Mr. Johnson, first because the question could only be settled at Washington, and in the next place, because he was dealing with an administration that was going out on a matter which another administration that was coming in would have to decide upon. The proper course then would have been,

in

y opinion, to have referred the matter to ington, and left it to be settled at Wash- n, giving instructions to our minister, and, e all, giving him orders not to assent to any which would be refused by the Senate. t was the objection to that course? None, that you would give a greater power to the n at Washington than was liked by the gn Office; the consequence was, that our ter at Washington had not the power, gh he saw that it would not be accepted e Senate, to prevent a treaty signed by our ernment going up there, and both countries ne compromised in a manner which might y have been avoided. I mention the case use it is an important practical instance in h the Foreign Office assumed the part which t to have been exercised by our representa- there.

73. Of course, the Foreign Office system has advantage, that it makes a stupid diplomatist y nearly as valuable as a man of ability?— if you call that an advantage.

74. The Foreign Office acts on the principle in Downing-street they are able to deal with uestions absolutely, and instruct our repre- atives abroad, almost to the minute method of ing with everything that arises?—To speak kly, there is a gentleman in the Foreign e whom I have known a long time, a man considerable ability and immense industry, who I think deserves the highest encomiums the eminent qualities that he possesses; but ourse, if a man passes all his life at the , and knows nothing much of the world tically beyond that, he forms an over- mate of what can be done by merely writing espatch, and an under-estimate of what can done when the despatch gets to the place h it is destined for. He, of course, thinks everything depends upon the despatch. My rience tells me that nearly everything de- ds upon the man to whose hands that despatch . I do not mean to say anything which can all depreciate the qualities of the gentleman represents the bureaucratic influence of the eign Office; I merely mean to say that his cation and habits must give him certain lities, and prevent him from having others.

175. I am quite sure that there is no want of pect felt by any of us towards the permanent der Secretary; but still this is a matter of h vital importance in our inquiry, that I shall it necessary to ask one or two questions, cer- ly not from any disrespect to the gentleman olved; but as I understand it, from your great erience, the effect of the present system is , that young men go into the service about om there is not any certain test of fitness; t once in they rise by seniority; that when y are under the control of the heads of mis- ns, there is no opportunity of anything arising of their conduct or character either to pro- te or stop their further career; that they ulti- tely become ministers abroad; that during the ole of this period the entire control is with Foreign Office; and when they become misters abroad, starting as they may do as in- mpetent, and remaining so during the whole of ir career, they are directed by the Foreign fice how to manage affairs as representatives this country; is that at all a fair statement of e case?—I do not know whether I quite fol- wed all your observations, but it strikes me that the general outline of them is this: it is possible that a gentleman may go into the diplomacy who may not be fit for the highest posts; and that if he is to advance by seniority, and there is to be no check to his advancing by seniority, that gentleman may possibly get into one of those high posts." This is true; he may do so: I do not say that he will, because he may have bad health or die.

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5176. But assuming that he were to continue in his career, he would do so?—It would be an extreme conclusion if he did not. An ambassador or minister has the power, of course, of saying that any one under him is incompetent, and in a very gross case he would say that; but he puts himself in a very awkward position by doing so The fair way, in my opinion, would be that, when there is a question of a gentleman's promotion, the ambassador or minister under whom he has served, should be asked, as a man of honour interested in the well-being of the service, to state what his opinion is fairly.

5177. I daresay you are aware that before the Diplomatic Committee of 1860 there were complaints made by Lord Lyons, and also by Lord Cowley, in reference to the insubordination of junior members of legations arising from the want of control on the part of the chiefs?—I think that this has been rather owing to what I have just stated, and also to the manner in which the subordinate members have been separated from the ambassador. And I must say that Lord Clarendon (of whom I should speak with still greater respect now than at any former time, and of whose judgments I had the highest opinion) answered rather hastily when he said, that if there was any difference between a subordinate member of the mission and the head of it, the fault must be in the head. Very often it happens that two gentlemen in a mission are not on good terms with each other; one complains of the other; perhaps you, as the head of the mission, may think that the man who complains is right and the other man wrong,; then he owes you a grudge. Therefore there may be many reasons why the chief of a mission (I never had but one quarrel, I think) may be placed in a position in which he is almost obliged either to abdicate his authority or to put down insubordination.

5178. Mr. *Otway.*] I think that you have misapprehended what Lord Clarendon said; I find that in answer to question 3467, he said this: "With regard to the statements which you refer to as made by Lord Lyons and Lord Cowley, I never heard them before, and I do not know whether they are answers to a Committee or whether they are enclosed in despatches; but they are hypothetical cases; and without the least disrespect to Lord Lyons or Lord Cowley (for most assuredly better heads of missions never were), I should say that any insubordination, any want of discipline, any incompetency of service, was entirely to be attributed to the head of the mission. I was six years a minister; I had a great variety of persons at the legation while I was there, and I never found the least difficulty. They were all well-conducted gentlemen; some of them might have been a little more diligent, and others a little more idle, but I never had the least difficulty. It was as present to every one of them that in case of misconduct I should report him, as it would be to the ensign of a regiment, that the colonel would report him; but I never heard of anything of a serious kind. I should

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should say that if there was any regular insubordination at a mission, if the discipline was not properly maintained, I should address myself more to the head of that mission than I should to the peccant attaché"?—Yes; but the head of the mission must feel that when any complaint is made to the Foreign Office, the Foreign Office in such a case will support him. I too was five years in Madrid and never had a quarrel with anybody, and a great many years at other places; but it does not follow that I might not have a quarrel at some place or other, though such a case is rare.

5179. Mr. *Rylands.*] I think I understood that at all events, in your opinion, if the head of the mission had perfect control and if the subordinates depended upon his judgment in reference to their future career, the probability is that there would not be any such difficulties?—I would not even go so far as that, because the head of the mission is liable to be mistaken as well as anybody else; therefore I would say that it should not altogether depend upon him, and it should not be altogether irrespective of him. A man should not be able to go to a mission and say, "All I have to do is to please the Foreign Office; it does not matter whether the chief is pleased or not."

5180. Something has been said about the subordination of an ensign to his colonel; there is not that subordination in the Diplomatic Service?—There is not; there is not that tendency on the part of the junior members of the mission to look up to their chief and regard him as a person who can be of use to them, and whom it is desirable to please.

5181. The statements made by Lord Cowley and Lord Lyons would not, in your judgment, be considered hypothetical?—I have heard Lord Cowley say something of the same sort, and he was a very good chief and a considerate one.

5182. In your judgment it is very important that by some means or other we should have at the head of our missions abroad men of very distinguished ability and high public character?—I think that a man in a great position abroad, as representing a country like England, ought to be a man of mark, even independently of his particular position of ambassador; he should confer something upon the rank of ambassador whilst the rank of ambassador confers something on him.

5183. That would lead you to think it desirable that public men of position should be from time to time appointed to the principal embassies?—I certainly should not exclude them; at the same time I think that it would be very unfair if competent men could be found in the profession in which they had spent a great part of their lives, if they had not a fair consideration of their merits when any vacancy occurred; if they were competent, I think they should have the preference; if you take a competent man who has lived abroad, and knows the languages and the mind, I may say, of the people on the Continent, I should say that that man, if his abilities were equal to it, would be a better man to carry on a negotiation abroad than a person even of rather higher ability who had merely had a political life in England; just the same as a man in diplomacy, who was unacquainted with all the usages and customs of the House of Commons, would not have his fair station there.

5184. With regard to the influence of the Foreign Office upon our diplomatic representatives, do you think that there would be any improvement secured in that respect if the political Under Secretary took a higher position in relation to the management of the Foreign Office the second to the Foreign Secretary?—It certainly appears to me that, inasmuch as the political Under Secretary of State is in the House of Commons or in the other House of Parliament and therefore represents the Government in that position, he ought to have a higher place in the Foreign Office than the permanent Under Secretary; I do not know that I am qualified to give a very good opinion on that point, but that is my impression.

5185. I suppose that you consider that the policy of the Foreign Office at home should be expressed to the representatives of the Foreign Office abroad; that then greater responsibility should be thrown upon them in the carrying out of those instructions, and that, in fact, it should become less a bureaucratic system than it is at present?—I think that what I stated was done formerly is the right thing. Then the Minister for Foreign Affairs took the greatest care to let the head of an embassy or mission know the precise policy that the country was following; and then he left it very much to that minister to carry out such policy in the way that he thought best.

5186. Amongst the points which you were good enough to suggest for our examination there was a question as to the position of the heads of missions as ambassadors or chargés d'affaires. I presume that with regard to the great posts you would be of opinion that ambassadors should always be appointed to the great courts?—Yes.

5187. Then, with regard to the smaller courts, is it your judgment that it is necessary to have a minister in all the smaller courts of Europe, or do you think that it would be sufficient to have a chargé d'affaires, and to send a minister on special occasions: take, for instance, Sweden, Denmark and others of the smaller courts in Europe?—I think that you must regulate your conduct a little by what other Governments do in that respect. If I saw any economy to be practised it would be more by uniting missions under one head, and having persons stationed at the different places which were incorporated, as it were, in that mission, and who would be considered as belonging to that mission.

5188. I was just going to ask you that question; whether you had considered whether any of the smaller missions could be so blended under one head, having a subordinate at each of the courts?—I cannot say that I know the exact situation of the various smaller missions sufficiently to be able to have an opinion on this point; but if I saw two countries which it was our object to keep as united as possible, and which had the same interests, I think that naming a first-rate man to the two, and letting him have a person under him but belonging to his mission at one of them, would tend to effect our object better than having a minister at each, inasmuch as the two ministers would not have the same unity of purpose or action that one man would have. Let us take—I speak, however, rather loosely, because I do not feel confident that my opinion is a sound one on that matter—two countries like Holland and Belgium. It certainly is our policy, and the policy of those two countries, that they should be firmly united together, and that they should be able in case of any European struggle, to act together. I do not know whether, if you had an eminent man representing us at these two courts, going alternately

ately to one and the other, with an able ary at one of them, your object, and the in- s of those two countries would not be better d out than by having two ministers who did uch correspond with each other, and might a different tone, and have a different mind, ae from the other.

9. With reference to the remark which you with respect to American diplomacy, am I in believing that the Americans do not in- e in any foreign affairs except those which diately touch their own interests?—They ere, I believe, in American affairs, much as hould interfere in European affairs, but pean affairs rarely touch their interest in any ial manner. But, for instance, we will sup- that something has occurred, and that an rican consul, or an American minister, thinks is countrymen have been improperly treated, r as to their persons or their property; he d hold a higher language to the offending Go- ment, probably, than our consul or minister d do.

90. You think that even in cases of that the representative of America would use a er tone?—I think that if you were to ask agents in general they would tell you that was their impression.

91. Mr. *Otway.*] Do you consider that their omacy is more successful than ours in that ect?—I think that where they interfere they rfere, generally speaking, with more effect; that that is not the consequence of greater ty on their part, but because they can hold lder and higher language. I have known nces, and I daresay that gentlemen who have ed abroad in general, have known instances ie requests or demands of Americans receiving ter attention than those of European govern- ts.

192. Mr. *Rylands.*] But I presume that you ld not think that in reference to smaller mat- the American Government would threaten ll, and not first ask for redress?—The agents ld threaten, for instance, that if so and so was done, all the vessels belonging to that State ld have an embargo placed on them in Ame- n ports; they would, in fact, say more than should say. And then there is a sort of idea, haps (I do not say that it is a right one), that American Government is more reckless of sequences, and that it would do something e than we should do.

193. Mr. *Otway.*] Is not that rather what might term a bullying policy?—You may it spirited, or bullying; much depends upon ds.

194. Would it not tend to reduce diplomacy bullying if our agents were more successful such means?—You may call it spirited, or lying; you must use the language which your ntry will respond to. I don't call it bullying, ou are in the right, to use strong language, viding you act up to it.

5195. Would you like to see the American tem prevail among our diplomatists?—I would e to see our Ministers and Government use, a fitting occasion, very high language; and I lieve that, for instance, if the Americans had en concerned in these affairs in Greece, they uld have had a much more satisfactory redress this time than we have had.

5196. Mr. *Rylands.*] You would not adopt a ferent tone towards a weak nation from what you would towards a strong nation?—I do not know about that; that is reversing human nature.

5197. But am I to understand you to express the opinion that it is desirable, in relation to the debts due to merchants as private individuals from the South American Republics, that we should send out diplomatists to South America to use a bullying tone?—I am against interfering in those private transactions myself; I think that when a man runs the chance of making great profit he runs the chance of great risk, and the Government ought to interfere only in very special cases.

5198. With regard to Constantinople, we have had the subject of the expenditure there before us; I suppose you agree that we can do with a less staff at Constantinople than the staff which at present exists there?—I have always thought one of the gentlemen employed there is perfectly useless.

5199. Is that the Oriental Secretary?—Yes.

5200. With reference to the dragomans, is it not the fact that the communications between the embassy and the Porte, through the dragomans, were formerly of a much more confidential character than is now the case?—Your head dragoman must be in your confidence; I think that Sir Henry Elliot spoke very well about that, and very truly, when he said that he knows so much of what you are doing, that it is much better not to disguise from him anything.

5201. You would not say that as to any but the head dragoman?—Only as to the head dragoman.

5202. There are, I believe, three dragomans; would you think it necessary to keep up that staff?—I cannot say, because nearly all the dragomans are employed on private business, business of claims, and things of that kind; the only one employed about public diplomatic business would be the head dragoman; what I think would be very beneficial, in fact, I recommended it strongly at the time, would be to have the consular and the dragomanic services intermingled; it very often happens that you wish to get rid of a dragoman; he might do very well with one minister at the Porte, but does ill with his successor; in fact, you are not perfectly satisfied with him, but there are not sufficient grounds to send him away, and to deprive him of his employment; it would be a great advantage, in that case, if you were able to name him to some consulate, and then you might make some consul your dragoman; you would in that way add to your dragomanic service, and you would add something also to your consular service; for instance, in the case of this head dragoman, you might feel it desirable, without imputing any great blame to him, to have somebody else in his place, and if you could name him as consul-general he would be very glad to get that office, and a consul would be very glad to be made head dragoman. This facility of interchange exists in other foreign embassies and missions in the East.

5203. Do you think that these dragomans receive fees, douceurs of any kind, from the people they serve in their private matters?—I am loth to express any opinion upon that point; I doubt very much whether our own do; I do not think that they do.

5204. There is an impression that the dragomans connected with the other Governments do?—There is that impression, but I will not say

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that it is correct; you rarely hear of a dragoman making his fortune.

5205. Mr. *W. Lowther.*] Have the dragomans access to all the papers at the embassy?—They have access to no papers; you only give the dragoman an affair; you generally write down what he has to do, and give him an order.

5206. You stated, I think, that there were some reasons why it was not advisable to have a peer as ambassador at Paris?—I wish to make that clear. What I stated was this, that if you have a peer who takes a part in public affairs in England, I think that then he is not a fit person to remain at that post if the Government changes, because he must either belong to his party, which has gone out, or he must degrade himself by belonging to any party that comes in; and therefore if he takes a part in politics at home I think that is a sufficient reason for his sticking to the House of Lords, and not sticking to diplomacy, except when his own party is in power.

5207. Therefore it would not be advisable to have a Member of the House of Commons as ambassador at Paris?—Not as long as he was a Member of the House of Commons belonging to a party, if that party went out of office; but the case of a Member of the House of Commons is different altogether from that of a peer. It is not likely that he would remain in Parliament when he became a diplomatist, so that he would cease to be a party man.

5208. With reference to the instructions which were sent from the Foreign Office to the minister at Washington, I understood you to say that the questions ought to have been handed over to the minister there and that he should have treated with the American Government and conducted the negotiations entirely free from the Foreign Office?—I did not say that at all. What I said was this, that when there was a question of opening a negotiation with the United States Government, it would have been desirable to have employed our minister at Washington to ascertain, previous to making any offers from home, what offers were likely to succeed and what were likely to fail; and then again, I said that afterwards, when we had pretty well drawn up what were the sort of conditions which we were likely to agree to, it would have been well to have left them to be handled by and settled through our mission at Washington, because if our minister there saw that what our Government would agree to would not be agreed to by the Senate as well as the Government of the United States, he would not put us in the awkward position of having a treaty that we had signed thrown back again in our faces.

5209. Then a very much larger amount of responsibility would thereby be thrown upon the minister at Washington?—Certainly, that is my idea of what is desirable.

5210. You think that the minister at Washington should be more responsible than the Secretary of State?—No; I do not think that, but that the Minister for Foreign Affairs should make him, as his subordinate, responsible to him; that he should make use of him, and get an opinion from him.

5211. Talking of the site at Constantinople for the embassy, you have no particular site in your mind?—No; I have none in my mind; but any of the sites near the Sultan's palace (I do not know whether they are free) would be advantageous.

5212. It is a rather low position, is it not?—Low; not unhealthy.

5213. Who would buy the house at Therapia it was for sale?—I cannot tell you now; at t time when I was there, there was a great dema for property there, and there would have b a plan for making a square of houses where t embassy stands.

5214. But would it be some private or publ persons?—I think there was a company th that would have done it.

5215. You are strongly of opinion that t house at Constantinople must be rebuilt?—I think there must be a house for the embassy.

5216. I think that in the year 1860 Lo Russell sent out an instruction to Constantinop with regard to the performance of public bus ness at the embassy, in which he laid down th everything should pass through the hands of t First Secretary?—I have alluded to that.

5217. And that circular was sent to oth embassies and legations?—It was sent to all.

5218. Do you approve of it?—Certainly not

5219. Ought not a secretary to be made awa of everything?—He ought to know everything but that was not the point; this circular was t make him the executive officer over the chan cellerie instead of the chief, which I thin absurd.

5220. Then we have had it in evidence tha living in Constantinople is very cheap; but I se that there was a very large increase in the ex traordinaries from 1854 to 1859; do you thin that the expense of living at Constantinople ha increased?—It increased then in an enormou proportion, on account of this, that your boa hire and every other expense was reckoned at s many piastres; I think for 1 *l.* you got 22 piastres; afterwards the paper money was with drawn, and you only got 100 piastres for 1 *l.*, an the prices did not fall proportionately; therefor wages and everything else was nearly doubled t those who were paid in pounds.

5221. When you were at Constantinople yo had a full staff there?—Yes; I had a great man gentlemen; I forget now all.

5222. And one or two private secretaries?—I had one private secretary, but I had not an permanent one; I had a reason for changing Mr. Macdonell was my secretary latterly.

5223. But you generally had a private secre tary?—I almost always had a private secretary.

5224. And did you find that there was a diffi culty in defining what was his public work, an what was his private business?—No; because never gave him public work to do, unless yo would call my private letters public work; if h was a person that I trusted in those matters, would employ him to copy my letters to Lor Russell or to anyone else.

5225. But a private secretary would telegrap occasionally, would he not?—He could neve telegraph; that was always done in the chan cellerie.

5226. I suppose there is a great deal of con sular business to attend to at Constantinople?—A great deal.

5227. I think there are 60 consular agents; i is to be hoped that they do not write every day but there must be an immense deal to attend t in that way?—Yes.

5228. Is the ambassador able to attend to al that business himself?—I used to do so. I use to give general instructions every month to ou consul

uls as to the course they should pursue. Those uctions I wrote myself, and then I read correspondence.

29. You were some years in diplomacy?—

30. Do you consider that the block is now er than it was when you began, taking into deration that three or four missions have been ressed?—I think that then, as now, people a long time in rising, and that persons have r exaggerated the peculiar difficulty of the now, but as there are more people employed mission at this time than formerly, they do get on so quickly; and then again you know was nothing like seniority.

31. I suppose that the Foreign Office have means of hearing from the heads of em- es or legations whether there are gentlemen who are more or less fitted for the posts h they occupy?—Well, really I do not think they ever ask you the question; and I cer- y never expressed an opinion without being d for it, unless there were some very glaring

32. But if you had a remarkably able man er you at your embassy, you would perhaps tion his name to the principal secretary?—I nt, if I was intimate with the principal secre- , mention such-and-such a person to him.

33. Do you think it would do him any good u did mention his name?—It would depend much on the terms I was on with the ign Secretary; but I do not think it would im a great deal of good, because, as I said re, the Foreign Office like to make appoint- ts more themselves.

34. Mr. *Rylands.*] In any case, I suppose, e would be no promotion in consequence of favourable opinion under the present system?—If promotion goes by seniority there could not be. I have not served for three or four years, but I understand that it does go by seniority now.

5235. Mr. *W. Lowther.*] Is it true that all correspondence is carried on in French with the Foreign Office at Constantinople?—I always wrote in English to the Turkish ministers.

5236. And they answered in French?—They answered in French.

5237. We have been told something about compulsory retirement at an early age in the French service; do you know something of that?—I read something said by Mr. Thurlow, but he was under a great mistake; he said, that in the French service, diplomatists must retire at 50; and I believe the Marquis de Lavalette must be near 74; that is quite an error; hardly anybody ever gets to a high position in the French service till he is 50.

5238. Viscount *Barrington.*] How do you propose to manage with regard to the staff of these great legations; you say that you wish to have only three, but there must be some kind of reserve to fall back upon?—I was asked what I thought would be sufficient; I stated that three would be sufficient at a mission, and you might have two secretaries, that is one more, perhaps, at an embassy; I do not think that you want anybody to fall back upon; there might be an occasional illness, of course.

5239. Some of them must go on leave?—When they went on leave you must spare one; all my propositions go on one supposition, namely, that you have the power of employing unpaid attachés. My remembrance of unpaid attachés is, that they did work quite as efficiently as those now paid.

5240. Mr. *W. Cartwright.*] You suggest an unlimited number of unpaid attachés?—Yes.

Monday, 18*th July* 1870.

MEMBERS PRESENT:

Viscount Barrington.
Mr. Bouverie.
Mr. William Cartwright.
Mr. Eastwick.
Mr. William Henry Gladstone.
Mr. Holms.
Mr. Arthur Russell.
Mr. Rylands.
Mr. Richard Shaw.
Mr. Frederick Stanley.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

The Honourable EDWARD ROBERT LYTTON, recalled; and further Examined.

Hon. *E. R. Lytton.*
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5241. Mr. *A. Russell.*] You alluded in your previous evidence to the general utility of a gentleman employed as translator at the Lisbon Mission. Are we to understand from what you have said that the current work of a diplomatic chancery can, in your opinion, be better performed by copying clerks than by persons belonging to the social class from which attachés are generally selected?—Certainly not; and I am very glad of an opportunity to correct any such impression, if I conveyed it to the mind of the Committee. With regard to the possibility of substituting copying clerks in the work of our missions for the present class of secretaries and attachés, I think that you could not safely do that, because, in the first place, it is quite evident that these copying clerks would be strictly excluded from the society to which secretaries and attachés are at present admitted; and it appears to me that the function of a diplomatist, whatever his rank in the service may be, is so essentially a social one in various ways, that this social exclusion would involve a considerable loss of efficiency to the service: and then, in the next place, it is obvious that you could not promote these copying clerks to the position eventually of ministers or secretaries of embassy, and yet at the same time, from the moment of their entering into the service, you would be obliged to take them entirely into the confidence of the mission, and to confide to their knowledge and to their keeping all the confidential and political correspondence of the mission; therefore you would be able to offer them no greater inducement to guard and keep faithfully that confidence than the mere continuance of a very insignificant salary; whilst, if these gentlemen desired to make money by the betrayal of that confidence, there can be no doubt that it would be in their power in that way to make a great deal of money; and I do not think that that is a position in which it would be right or moral upon the part of the State to place a large class of public servants; I do not think that it would be advisable to expose them to such a temptation. But I should wish to explain that the reason why I alluded to the gentleman whom I remember in the capacity of translator to the mission at Lisbon was, that I wished to illustrate what I certainly do feel to be the great practical inconvenience of so frequently disturbing the composition of a mission, that, in point of fact, inste of allowing recruits to ripen into veterans an where, you are virtually turning veterans ir recruits everywhere. I have myself frequent experienced the inconvenience which arises wh the members of a mission, just at the time wh they have all got upon terms of intimacy wi each other, and adopted the same method work, and made themselves masters of t details of a particular chancery, and are acting harmoniously together, are suddenly d persed to different posts without any referen whatever to the convenience of their chief, a very often without any reference to the con nience of themselves; at the same time, of cour I should wish to guard against another misu derstanding in what I say upon that point; course I feel most strongly that it would be very real injustice, and a very great hardship a junior diplomatist to be left all his life at sor remote and obscure mission, simply because was rendering himself exceptionally useful ther in consequence of the local knowledge whi he had accumulated at that post. So far fr thinking that, I think that the more a man m have made himself useful at a small mission, t more entitled he is to advancement to a gr one, and that proof of general capacity anywhe is, so far as it goes, a guarantee for general c pacity everywhere. But the Committee is doubt aware that under the present system secon and third secretaries are liable to be transferr from one post to another, and very often fr one part of the world to another, every tw years, without any sort of promotion or advanc ment in the service, and generally without an direct reference to the convenience of their chi and very often without any reference to the own convenience; and so far as I am aware the feelings of my junior colleagues upon th point, I think that instead of regarding it as great privilege, they are disposed to regard rather in the light of an inconvenience. And n unnaturally so, because if you will take the ca of the men who are married and have famili (and unfortunately, with the present slow rate advancement in our service, it is quite possib that a man who is, by a figure of speech, a juni in the service, should be a senior in his ow household, and the head of a great many juni members of a household), there can be no doul th

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in a pecuniary point of view it is a very inconvenience to them; I can speak from personal experience on that point, because I was myself secretary of legation, it so ened that my post was changed, I think, times in the course of four years; and al- gh on each of those occasions the change ot involve direct promotion, yet I am bound y that it was of a character which I myself ded as decidedly advantageous to my pro- nal prospects; on all of those occasions my wishes were consulted, and in every one of I was exceedingly well pleased to have this ge of post, and therefore I do not refer to th any sort of personal complaint. Quite ontrary, indeed. But that does not alter act, that from a pecuniary point of view, y own case, there being in addition to my lling expenses (which to a man with a family servants, and a certain amount of furniture ove, were necessarily very heavy), the fur- expense of being obliged suddenly to set somewhat large private establishment in a try in which I arrived as a total stranger, and often to break up this establishment at very notice; the personal inconvenience was such I can honestly say that if to-morrow I was in pt of a first-class minister's salary, I should be for many years a very heavy pecuniary by my profession. Of course I think that is some distinction to be borne in mind, with rd to the frequent moving of junior diplo- sts, between the relative positions of a secre- of legation and a second or third secretary; use no doubt the business of a secretary of ion, generally speaking, is rather intellectual social than positively manual, and a secretary gation may frequently be changed with ad- ge to the public service, as well as to him- without in any way disturbing the routine of work in the chancery of a mission; but e case of second secretaries, who are virtually rganising heads of our chanceries, there can o doubt that it makes a very great difference eir chiefs, the heads of missions, whether have a man who can place his hands at a ent's notice on every paper, who knows e every document is to be found, and who is oughly conversant with the working order of hancery, or whether they are obliged to rely he services of a gentleman who has been ly sent out to the post, and who has, of se, not had time to get up all the details of particular chancery. Moreover, I think that ost of our great missions there is a great unt of work which is not confidential work, h is not political work at all; it is partly rial; it partly also consists of a mass of cor- ndence which is essentially unpolitical; and ink that all the work of that description d be very conveniently and advantageously rtaken by permanent officers attached to the ion in the capacity of the chanceliers who mployed in the French service. In saying however, I ought to mention to the Com- ee, that, so far as I am aware, the chanceliers e French service are, as a general rule, not per- ed to have access even to the political archives correspondence of the mission. The work h they undertake, and which they certainly, think, perform very efficiently, is current ness of a totally unpolitical character, very n, as I said before, notarial, and other busi- of that kind. They are generally selected for that post from the lower grades of the consular service, and they look for promotion, I think, to the higher grades of the consular service. Therefore, of course, they can hardly be regarded in the same light socially as the other members of the missions to which they are attached; in point of fact, I think that at Vienna I have never met the chancelier of the French embassy there except at the house of his own ambassador. I do not believe that the chanceliers are admitted to Court, and I think that they are seldom admitted to society. They are generally very intelligent and able men (I have known many of them), and I think that it is the experience of most of my French colleagues that the system of employing them works exceedingly well, and does very much ease the strain of current business in the French legations. This is all that I had to explain upon that point. The sum total of what I would say is this, that I think that there is a class of work at all our great missions which could be very advantageously performed by gentlemen answering to the chanceliers in the French service, but that I think it would be highly objectionable to substitute copying clerks for the present secretaries and attachés in the political and confidential work of our missions.

5242. Did I rightly understand you from your reply to Sir Henry Bulwer, that the current work of our diplomatic establishments could be efficiently performed by a smaller number of persons than is now generally employed on that work?—No, that was not at all my meaning. The facts referred to by Sir Henry Bulwer last Monday were all perfectly accurate, but the cases which those facts represent must, I think, for reasons which I could very readily point out to the Committee, be regarded as quite exceptional cases. With regard to the staffs of our missions, generally speaking, I think it would be most inadvisable to reduce them, and I should say that it would be practically impossible to maintain them on the footing of a permanent minimum. Those cases referred to by Sir Henry Bulwer were quite exceptional, because, in the first place, they did not involve the enormous amount of translation which, for various reasons, is now one of the least fluctuating and heaviest portions of the work done; and then, too, a great portion of the work done in the chancery in those cases was done by the private secretary of the minister, who was not officially attached to the mission at all, although he was in the confidence of the chief and actively engaged in the mission; that, as a general rule, I think, would not be advisable; and though, I think, men who are acting well together will undertake readily, for each other's convenience, a sudden amount of extra work, yet if they felt that their convenience was no matter of consideration to their employers, of course they would begin to work grudgingly, and therefore inefficiently; besides which, I do not see how anybody could obtain leave of absence in that case from a mission without inconveniencing the public service; and I do not think that this inconvenience would be remedied by sending out at the public expense some one to supply his place.

5243. Mr. *W. Cartwright.*] In referring to the work of translation just now as being less at certain places, I suppose you alluded to Washington?—I alluded to Washington; and also I had in my mind this fact, that it is rather a prevalent custom now amongst chiefs of missions to send home to the Government weekly, or sometimes almost

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almost daily, articles extracted from all the principal organs of opinion in the foreign press of those countries where they are officially resident, which, of course, must be accompanied by translations; and when I had the advantage of serving under Sir Henry Bulwer it was his custom, on the contrary, to treat all those subjects in his own despatches, in which they were analysed and explained; of course it may be that this system of cutting pieces out of the newspapers and sending them constantly home is more convenient to the heads of missions, but it must greatly add to the labour of their chanceries.

5244. Mr. *A. Russell.*] Should you say that, according to your own experience, the prospects of junior diplomatists have been improved by the recommendations of the Committee of 1861?—Well, so far as I have been able to observe, the present organisation of our service, with special reference to the result of the recommendations of the Committee of 1861, I am afraid I really must say that I have considerable doubts whether we have been working in a judicious or successful direction; and I rather fear that this present system will tend to produce results precisely the reverse of those which were intended. Because I do not doubt for a moment that one of the main motives of the adoption of this system was to remove, or at least to diminish, as much as possible, all just ground of discontent amongst the junior branches of the service; and I cannot help thinking that you will find that, in the long run, it has rather tended to augment the discontent which undoubtedly does prevail at the present moment. Of course I feel most strongly, so far as that goes, in the present almost desperately slow rate of promotion and advancement in the service, that it is decidedly preferable for a third secretary whose prospects of promotion are indefinitely distant, to be in the meanwhile receiving a commission and a small salary, rather than that he should be serving the state for many years with the monotony of discouraged hope, unrelieved in any sort of way by compensation, either present or prospective. As far as that goes, therefore, he is a gainer, and if you continue the present system, I cannot say how hard and unfair I think it would be to deprive this certainly not highly-paid class of public servants of the small salaries which the system now accords to them. But the Committee are no doubt aware that formerly it was the custom for a minister or an ambassador to attach to his mission, of course subject to the sanction of the Secretary of State, gentlemen who were personally known to himself, and whom he thought likely to be either agreeable or useful members of his staff; well, those gentlemen were either men of some private fortune, or else they were on terms of such previous intimacy with the minister to whose staff they were attached, that he was glad to receive them almost as members of his own family, and to board and lodge them in his own house with every possible comfort and luxury; and the majority of these unpaid attachés did not enter the service with any definite intention whatever of permanently remaining in it; they certainly entered it with no recognised claim upon the State, either for permanent employment or for immediate emolument. Those of them who felt that they had any special fitness or ambition for the really serious work of diplomacy were quite aware that the only claim they could establish to the prizes of the profession would lie in some personal effort of their own which should have the effe of achieving for them a reputation, either pr fessional or public, for marked talent a ability; and those who felt no such call spo taneously left the service after a few years' e perience of it, which was not unprofitab themselves, and which certainly had this adva tage, that it cost the State not a sixpence. cannot help thinking that there was a consid able advantage to the community at large in th system, as it appears to me much to be desired th the largest possible number of our well-to-do you I mean the sort of young men who eventually into Parliament and the liberal professions at hom should receive from the State every possible i ducement, and every possible facility, for acqui ing at least some personal knowledge of t social and political facts of foreign countries, a above all, for being able in this manner, as were, to re-import back into home society feeling of intelligent interest in foreign questio and respect for foreign opinion. I think th that sort of incessant, though perhaps imp ceptible, importation and diffusion of a cosm politan feeling at home was a certain advanta in the old system which is not possessed by t present one. But it is quite clear that the cla of paid and commissioned junior secretaries w have now succeeded to those unpaid attachés a in a totally different relation to the State, b cause the State has exacted from them cert preliminary pledges and guarantees for the p session of qualities which it requires, and up the receipt of those pledges it has covenant with them for certain permanent services, a therefore the secretaries look upon themsel in the light of men who have, as it wer signed a sort of service contract with the Stat and think that as long as they fulfil their oblig tions to the State, the State is bound to fulfil t expectations which that covenant raises in th own minds. Of course if the State cannot that, or if it is virtually in the position of saying these men, "I am not dissatisfied with your s vices, I have no fault to find with you, but the is, as you see, what is called a block in the se vice" (and that arises, I am afraid, the more look into it, not from any purely tempora cause, but from the permanent conditio of the service, which were overlooked at t time), there will be a great amount of not u justifiable discontent on the part of that cl of the profession. And I think that that disc tent already exists; I think it is an ascertainal fact which claims consideration in any attem to reorganise or improve the tone of the s vice; and the question is, how you will d with it?

5245. Mr. *W. H. Gladstone.*] Do you kn any cases of persons who have entered t service under the new system without the inte tion of adopting it as a profession?—I think know one case only, but I am really not su whether that is a case in point. I think t Lord Sudley, who was for a time attached to t mission at Vienna, had no definite intention remaining in the service, and he has ultimate left it. I am not sure whether he left in con quence of a change of intention or not; but I not know any other case. I think that you m consider now that all who enter the service ent it as the permanent career of their life.

5246. The heads of missions have now nothi to say to the appointment of attachés, I presum

—I

m aware of no case in which the head of a on has been consulted in the appointment of ttachés; as a general rule, I should say that are not in any way consulted in such apments; and the effect of this is to take from eads of missions all personal interest in the l position, and all personal pride in the l qualifications of the members of their staff. ertainly has diminished the social intimacy een the heads of missions and their subortes.

47. With regard to the staff at the missions, correct to say, is it not, that the scale which intained is supposed to be sufficient to meet pressure that may occur?—Precisely; that e principle upon which the staff is organised.

48. As unfortunately I did not hear your er evidence, I do not know whether you sug- ed any different system, or any possible re- ion?—No; I was saying just now that I k it would be practically impossible to reduce permanent staff of our missions, and for rea- which I explained to the Committee.

249. You are in favour, are you not, of a uent change from one post to another?—No; the contrary, I should say that as a general it would be injudicious to disturb continually composition of a mission, because of course e must be a certain process of what you may social crystallisation, which is necessary for iency in co-operative work of any kind; and ink it is inadvisable to disturb that unnecesly. Of course promotion must almost inably involve a change of post; but where it ot a case of promotion, I should say that as a eral rule it would be more advantageous to service not arbitrarily to change the junior nbers of a mission; in short, I would not nge them, except at their own request. But ir own request, should, I think, be always plied with so far as the general interests of service will permit.

250. Mr. *Eastwick.*] But you might reduce staff, because if we are to adopt Sir Henry lwer's suggestion of having unpaid attachés, ected partly by the minister and partly by the cretary of State, in that case you might have y number of unpaid members that you please? Practically, so far from reducing the staff, you uld be rather increasing it by that means.

5251. But you would be reducing the paid ff?—You would limit the number of paid emyés certainly, and I think that it would be an vantage to do so. I think, if I may say so, that e sum total of the distinctive differences beeen the old system, which is really the system ich appears to have been recommended by Sir enry Bulwer, and the present system, is this, at under the old system it was precisely the ss of men whom you would not by any means sh to retain permanently in the service of the ate, I mean the rich idlers, who voluntarily and ntaneously left the service; and that, on the ner hand, the State had practically a quite united power of choice in the selection of its permanent paid servants from amongst a body of en who had all received a certain diplomatic aining; whereas it seems to me that by the esent system, in the first place, the State is edged and bound to employ, and pay permaently, and to recognise as eligible to all the ghest posts in the service, anybody who has ssed through what really appears to me a very perficial entrance examination, so that it has now no convenient means of discharging second-rate workmen, or encouraging good ones; and also I think that one disadvantage of the present system of examination is, that, for instance, thir year there may be three first-rate men, all candidates for admission to the service, and you may have no vacancy; it is not probable that these gentlemen will go on waiting indefinitely for the prospect of admission into the service, and they will therefore turn their attention elsewhere, and be absorbed into some other career at home; and then next year you may have three vacancies, and perhaps for those vacancies there may be as many as a dozen competitors, and it is quite possible that all these dozen competitors may be more or less second-rate men, and yet the State in that case will be obliged to accept out of those 12 second-rate men the three men whom the examination represents as, on the whole, the best.

5252. Except that one might certainly think, judging from the number of young men who go up from the universities for the Civil Service appointments in the East (which appear to me not so valuable as diplomatic appointments), that you would never want a good supply of young men of ability?—I should be much more in favour myself of a very much higher examination, if you made it a test examination, and if instead of making it a means of introducing men into the service, you used it rather in the sense of a machinery for filtering the best part of your raw material into what you might call a *réserve d'élite* of men, who should be henceforth eligible for the highest employments in the service. I do not think that the present examinations are much test of ability; of course they keep out gross ignorance, but it appears to me that they are the lowest standard you could fix upon.

5253. There is no escape, I presume, between the two alternatives; either that you should have a very strict examination, which you might make as strict as you please, and admit gentlemen who passed it to the permanent staff, and then, as of course they would all be men of ability, raise them mostly by seniority and pay them from the beginning; or that you should go back to the old system and allow gentlemen to be attached to a mission who should do all the mechanical work?—I do not know whether those two alternatives are not more or less compatible. I should say that the two great desiderata are, on the one hand to secure, or rather to restore, to the executive the most unlimited freedom, not only, I should say, in the selection but also in the use and employment of the instruments it has to work with; and, on the other hand, to provide the taxpayer, out of whose pocket the services are to be paid, with a fair guarantee that the nation shall have a *bonâ fide quid pro quo* for the money which it expends on the service. In regard to the first of those objects, it seems to me that really, at this moment, the Secretary for Foreign Affairs is in the rather unpleasant position of a carpenter who has to do a great deal of difficult work, and whom you oblige to take tools out of his box and to use them, not in the order in which he requires them, but in the order in which they may happen to lie uppermost; and, as regards the second object, that of giving a guarantee to the nation that it shall be provided with the value of the money spent on the service, I do not think that the present system of examinations is worth much.

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5254. Then you would be clearly for increasing the strictness of the examination?—If the examinations were not competitive, but were test examinations, I think that that would be desirable; though I still think that in a service like ours the ultimate test must be responsibility, and the proper ground for promotion, success.

5255. Do you think that, supposing Government were to offer to grant to those members of the Diplomatic Service who have served for 10 years, a moiety of their pensions to retire upon, or a gratuity, many would retire?—If you mean in the minor grades of the service, I think there are a good many who would retire; but I think that the danger in that would be, that you might find the bad men willing to remain on and the good men willing to go; because it is quite obvious that a dull man who feels that he has no probability or chance of making a successful career in any other walk of life at home, has a great advantage in the service, because by the present seniority system you place him practically on an equality with all the clever men in the service as regards promotion, and though it may be slow, it is at least sure to him; whereas with regard to the sort of men whom I should think it most desirable to retain in the service, I mean men whose private means are not too large for ambition, and yet are large enough to represent a fair education and social position, men of the gentry and middle class of the country, who are ambitious of making a career somehow or other in life, and who would probably prefer diplomatic employment to any private profession, if you made it worth their while to remain in diplomacy, but whom you cannot expect to go on drudging upon a paltry salary for many years, with the additional annoyance of seeing their intellectual inferiors appointed to all the high posts, because they happen to be senior in the service, I think that those men will all feel that with the knowledge of mankind which they have acquired abroad, and with their knowledge of foreign languages and trained business habits, and their energy of character, they are pretty sure to find lucrative employment and to make a successful career at home either in connection with commercial companies or in some private profession, the law, literature, or what not; for surely a salary of from 400 *l.* to 500 *l.* a year is very much smaller than the income such men could secure from any other investment of brain and labour, by the time they reach middle age; and, therefore, if you retain the present seniority system, and also offer a premium on retirement from the middle ranks of the service, those men would certainly take it. A number of my own colleagues seem to be waiting for the result of the deliberations of this Committee with some anxiety, and, I think them very likely, if no change is effected on that point, even without an inducement in the shape of a gratuity, to leave the service.

5256. Mr. *Rylands.*] You are quite of opinion, as I understand, that the block which is complained of is a serious detriment to the service?—I think it is decidedly so, because it tends to perpetuate a tone of discouragement and languor in the service, and of course I think that that is a bad thing.

5257. It must necessarily tend to prevent that earnest and intelligent activity in the service which is necessary for the due performance of the duties of the different grades?—Precisely.

5258. I gather also that you would not think that any temporary expedient of buying off a certain number of men would be desirable for the service; and I daresay you would think that it would be sure to give some dissatisfaction outside the service?—Just so; I think that there is a danger there; and also, I must fairly say, that I think it is advisable to deal in some way with this discontent which is caused by what is called the block in the service; but at the same time I think you must put out of your head altogether the notion that you can organise and carry on efficiently a service like diplomacy without disappointing a great number of aspirants. I think that in the Diplomatic Service there must always be the probability of a certain number of people being disappointed, and, therefore, discontented; I do not see how it can be otherwise, because the real fact is that the number of persons whom you absolutely require for the mere mechanical work of the service is greater than the number of highly-paid posts which, under any circumstances, you can appoint them to. I think where many are called and so few can be chosen, you must expect a great amount of disappointment; and all that it can be desirable to undertake is to limit as much as possible the number of persons whose discontent can be fairly said to have any foundation in the non-fulfilment of a pledge or promise upon the part of the State.

5259. No doubt it is the fact that in all services there will be a certain amount of disappointment; yet I gather that in your opinion the present arrangements are such as to create a maximum of disappointment?—Just so.

5260. And you are prepared to consider whether there may not be some means of lessening that maximum of disappointment by bringing the proportion of juniors into a better relation to that of seniors?—Yes.

5261. You are, of course, aware that in the arrangement of the service everything depends upon the proportion of juniors in relation to the seniors?—Precisely.

5262. If the juniors are very numerous, and the senior appointments very few, there must necessarily be great disappointment?—Exactly.

5263. Then I suppose you would think that the course which the Committee should take in viewing this question, is to see whether there are no means for reducing the number of juniors in relation to the senior appointments, and also for giving to the juniors a greater inducement in their future prospects by opening to them the chance of success as the result of their own exertions?—Undoubtedly; I think that is the problem to be solved; you must always have a large number of juniors in the service, and I think that I would have a maximum of unpaid attachés, and only attempt to limit the number of persons to whom the State as it were pledges itself in any sort of way.

5264. Then your idea is, in the first place, that you would have the entrance into the service in the form of unpaid attachéships as formerly?—I think so, as the mere raw material; and that the mere entrance into the service should not, *ipso facto*, or necessarily imply any intention on the part of the State to keep a man in permanent employ.

5265. But leaving that idea out of the question for the moment, supposing that there were objections to the introduction of a large number of unpaid attachés into the service, do not you think that another plan might be adopted to remove the same

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...e evil of the block, in this way: first of all by ...ng the mechanical work in the different large ...sions and embassies to a permanent official, ... by that means reducing the number of secre... ...es?—That comes very much to what I re... ...ed to in speaking of the employment of people ...the capacity of chanceliers. Of course I think ...nust be strictly understood that this would ...only for the mechanical work, and not for the ...tical or confidential work. I certainly do ...nk that this would relieve the strain.

5266. It would reduce the necessity for so ...ge a number of juniors as are on the line of ...motion at present?—Just so.

5267. Would you not consider that the doing ...ay with this transfer of under secretaries of ...ation from one post to another, and making ...m more competent in the post in which they ... placed, would also tend in the same direction ...reducing the necessity for the employment of ...number of under secretaries of legation?—...ll, I think that it would to a certain extent; ... then I think that you must always bear in ...nd what I think is the advisability of not so ...anising the staff of our missions, but what ...h member of the mission should be able to ...are, a moderately frequent amount of permis... ...n to absent himself from the mission. I think ...s very desirable that all classes of the service ...uld occasionally come back to England and ...ibe the ideas of their own country, and not ... permanently estranged from the great public ... of their own country.

5268. Still your idea would be that to a cer... ...n extent it would tend in the same direction? ...So far, I think that it would.

5269. I wish to direct your attention to another ...nt in view of this matter which we are con...ering; do you not think that if the service in ... Foreign Office and that in the Diplomatic ...vice were entirely amalgamated so as to make ... promotion in the two services correspond in ...h a way that a junior in one branch of the ...vice would be in the line of promotion in the ...er, that it would also tend, particularly if ...t promotion depended upon merit, to do away ...h this hopeless feeling which exists at the pre...t time in the profession?—I think that there ...not be a doubt that it would; only I should ... very sorry to express any opinion as to the ...ctical means of carrying that out; I can see ...t there would be very great difficulties in it, ...d, of course, I cannot speak in any way for ... feeling with which such a plan would be ...wed in the Foreign Office itself, for I know ...thing of the feeling of the Foreign Office; but ... course if you amalgamated the two services, ...re would be a larger play of movement in the ...le of the united service. But as I was saying ... other day, I think that it would be necessary, ... you attempted any plan of that kind (which ...ms to me surrounded with many practical ...ficulties), to guard against the possibility of ...ting permanently into the staff of the Foreign ...ice, a second-rate class of diplomatists who do ...t perhaps see their way to advancement in the ...eign service; and, I think, that at present one ... the advantages of the system of the Foreign ...ice is that the men who are in it have no sort ... personal interest whatever for or against the ...vancement of the foreign servants of the State. ...think that that is an advantage which it is ...rth while to bear in mind; but certainly I ...ve always felt very strongly that there would ...be immense advantages, apart from the question of facilitating promotion, in amalgamating the two services, and in fact I think that this is the system with most of the principal continental states. You will generally find that the heads of departments in the Foreign Offices, I think, of France and Austria, are all men who have held high diplomatic appointments abroad, and may do so again, and *vice versâ*.

5270. You have a natural hesitation in expressing an opinion perhaps on this subject without having thoroughly thought out this question, and I would therefore wish to read to you an opinion of Lord Cowley's, and I will ask you to be good enough to say whether, on the whole, you can concur in that opinion. Lord Cowley, in a despatch to the Foreign Office in 1860, which is published in the Report on the Diplomatic Service, says, "I have made the foregoing remarks on the supposition that the services at home and abroad, now under your Lordship's direction, are to remain distinct; but I must at the same time confess myself to be an advocate for their complete amalgamation. The clerks in Her Majesty's Foreign Office would, I conceive, profit as much from an occasional residence abroad as the secretaries and attachés of Her Majesty's foreign missions would gain by an occasional residence in England. If I saw how this system could be extended to the higher branches of the foreign services, I should equally advocate its application. But if the junior branches of the two services are amalgamated, it stand to reason that those who now enter the Foreign Office with no expectation beyond that of rising to a chief clerkship will be as eligible as any one else to a mission abroad. It seems to me that the chief clerks might be assimilated to secretaries of embassy, the second clerks to secretaries of legation, and the junior clerks to attachés, in one or more ranks, as may be deemed most convenient; and when I say 'assimilated,' I mean that there should be a constant change going on between the home and foreign services. The difficulty in questions of this nature is, to make a beginning; and it seems to that the plan, if adopted, should first be brought into operation in the junior grades, and so be gradually introduced into the upper. That Her Majesty's Diplomatic Service would eventually be improved by it I have not the smallest doubt"?—I entirely agree with every word of that; I have long felt that.

5271. With regard to the disadvantage to which my attention has been directed in your former evidence, the possible disadvantage that naturally struck you was, that the effect of it might be to the danger of the service. In your answer to Question 5083, you say, "For instance, it appears to me that there is this danger, that you might have a very superior class of men in the foreign service feeling a disinclination to give up the great prizes of the foreign service itself, and that then perhaps the second-rate men in the service would be more induced than the others to take posts in the Foreign Office." But I think you will see that there would be no danger in it, if the suggestion of Lord Cowley were carried out, and a chief clerk in the Foreign Office were eligible to be sent to a mission abroad?—Precisely.

5272. If you will just consider my question to you, in relation to a perfect amalgamation as set forth by Lord Cowley, I think you will see that

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that objection is obviated?—If the amalgamation is complete, and there is a perfect exchangeability between the foreign and home branches of the service, then I think that, of course, that objection is entirely obviated.

5273. I think you will see that the effect of it clearly would be that there would be at all times a sufficient number of good appointments connected with the foreign service (talking of the foreign service as embracing both the Foreign Office service and the Diplomatic Service) in relation to the juniors in the service, to enable the Foreign Secretary to reward zeal and merit, so far as to do away with the hopelessness which now prevails?—I think it would have very much that effect, as far as I can judge at present; and I also think that it would be a considerable advantage to the service at large that that class of public servants, I mean the heads of the different departments in the Foreign Office, who virtually, more or less, furnish instructions to our missions abroad (because no doubt a great mass of the instructions which are sent from the Foreign Office must practically be more or less drawn up by the heads of departments in that office), should have had before they are in that position some personal experience and knowledge of the local conditions under which instructions from home have to be carried out abroad, and some sort of personal experience of foreign statesmen and foreign governments; I think that that would be a very great advantage indeed.

5274. I suppose you would consider that if a gentleman had served in the embassy at Paris, for instance, for some years, he would be found to be exceedingly useful if required in the Foreign Office, to take the position of the chief clerkship of that department to which the French mission belongs?—I have no doubt that he would, because in that case I should presume that he would know all the principal French statesmen, that he would have a very large experience of persons and facts of such a kind as would very often enable you to approach a foreign government in a conciliatory manner, instead of the contrary. Very often, from a want of that sort of particular experience and knowledge, with the best intentions in the world, you may address a man in such a manner as quite unintentionally to offend him.

5275. I understood you to say a short time ago that one danger of the amalgamation of the two branches of the foreign service might be that the appointments to missions abroad might be affected by the circumstance that the officers in the Foreign Office might themselves have a desire to be placed in those positions?—Yes; assuming that the officials in the Foreign Office were men who had been in diplomacy, and who perhaps felt that they were not so likely to get on well in diplomacy as other members of it, and therefore had been more induced than another class of men in diplomacy would be likely to be, to accept permanent appointments in England. But of course that danger, I think, would not arise if the amalgamation were complete; if, for instance, the possibility of exchange was going on continually in this sense, that a man might be at one moment a secretary of embassy abroad, and at another moment the head of a department in England, without at all losing or foregoing his liability to be again employed in the foreign service abroad, and so on; that would obviate the danger.

5276. The line of promotion would be in no sense interfered with if the services were amalgamated; because a man would be in the same line whether he were serving in a particular rank at home or abroad?—Yes; I have always felt very strongly in favour of the plan which you advocate, and which is suggested by Lord Cowley in the passage you have read; only in carrying it out I think you would have to bear in mind that you are not dealing with a *tabulâ rasâ*; and I have no doubt that in such a matter the inclination of the gentlemen who have now entered into the service of the Foreign Office is a point which demands the very greatest consideration, because a man may have laid out his life in the "home" service of the State in such a manner that he will consider it a great inconvenience to go abroad; he may be a very efficient clerk in the Foreign Office, and perhaps he may not know very much of foreign languages even, except so far as he has learned them for an examination, which is quite distinct from the habit of continually speaking them; and also his pecuniary circumstances may be such that he would consider it a great inconvenience to have to set up an establishment abroad when he has looked forward to living permanently in England, where he has friends and relations, and so forth. I mean that there are a variety of considerations of that kind which will entirely depend upon the temper and feeling and disposition of the men who at this moment compose the staff of the Foreign Office; and I think that they are entitled to consideration, because of course if the change were carried out against the wishes of one whole branch of the service, we could not expect that it would be as efficient as if it secured their cordial co-operation.

5277. That would be, no doubt, a reason why the Secretary of State should not send a man abroad who had fair grounds for staying at home; but it would be no reason why the rank that he held at home should not be assimilated to the rank held by a similar officer abroad?—Certainly not.

5278. You alluded to the fact that members of the foreign diplomatic services occupied a higher position of distinction at home than members of our Diplomatic Service?—Yes, I think that is certainly the case, because, for instance, I think that one cause of the present block in the service is this, that there is really no inducement that I can see to any man who has worked his way up to a high position in the service and who is at this moment, we will say, minister or ambassador abroad, to retire into private life, seeing that he must do it upon a very small pension and exchange a position which has habituated him to a great amount of consideration abroad (because an English ambassador or minister abroad is of course one of the principle personages in the place where he may be, and is on a footing with all the most eminent public men there), for a position, when he returns to England, in which he retains no longer any connection with the public life of his country; and I do not think that he has any sort of social position in England derived from the fact that he has been a minister or ambassador abroad. Then of course his pension is really a very small one; if you compare it to the pensions of lawyers, to the retiring pension of a lord chief justice, for instance, or a lord chancellor, of course, the difference is enormous, and you must suppose that he is a man of high ability

ity, and that he has rendered public services he country, otherwise he would not be, or ht not to be, in the position of an ambas-or.

279. With regard to your suggestion in rela- to the matter of patronage, which if we did y with, the rule of seniority would become a y important matter, do you not think that onage should practically depend upon the eign Secretary and the Under Political Se- ary, both of whom should be held to be onsible to the public for the exercise of that onage?—I should say certainly, as a general , it is the Foreign Secretary who has to ad- ister the whole service, and who is respon- e for the success of his work. I would give unlimited freedom with regard to appoint- nts, or "patronage," if you please, but of rse accompanied by all the conditions of great lic responsibility; of course he must feel t his appointments are liable to be challenged, he must be able to defend them.

280. And you think that public opinion would a sufficient safeguard under those circum- nces, in the working of the department?—I nk so; it seems to me so, because it must so iously, I think, be of the greatest importance a Foreign Secretary to get the best men that can, and there are sure, whatever appoint- nts he makes, to be a great number, as I said ore, of discontented people to object to them, l therefore he will always be permanently posed to the necessity of defending the ap- ntments that he has made, if he makes a really bad appointment: in fact, I would go the length of saying, that his freedom in selecting persons for diplomatic employment ought to be so unlimited and so great, that I do not think the service ought to feel aggrieved if on special and particular occasions (when, perhaps, the chief object of the Government may be to convey in the most immediate and impressive manner to some foreign government a correct notion of the precise state of public opinion and feeling in England upon some special question, or the particular relation in which the Government itself stands to the community in regard to that question) the State were to select, instead of a professional diplomatist, some public man in England of eminence, whose position at home might be expected to carry peculiar weight abroad, and who had special qualifications for that particular negotiation from his exceptional personal knowledge of the matter to be treated, or from his personal participation in the sentiment to be represented; and I think that he ought to be able to count in that case upon the co-operation of every member in the service with whom he comes into contact, and that he should not be exposed to any feeling of resentment on their part; but of course such resentment would be justified in every case where it was not clearly apparent on the face of it that an appointment of that kind was really dictated by a consideration of what was best for the immediate interest of the nation, and that it was not a mere political job for the convenience of the Cabinet.

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APPENDIX.

Appendix, No. 1.

PAPERS handed in by Mr. *Hammond*, 7 March 1870.

(No. 1.)

MENT showing the present Scale of Outfit of Her Majesty's Diplomatic Servants Abroad, and of Allowances paid to Acting Chargés d'Affaires.

Foreign Office, 1 March 1869.

Classification, th reference to the & 3 William 4, c. 116.	CHARACTER.	Allowance to an Acting Chargé d'Affaires.	SCALE OF OUTFIT.		
			Full.	Two-thirds.	One-half.
First Class.		£.	£.	£.	£.
- - - -	Ambassador Extraordinary and Plenipotentiary -	–	4,000	2,800	2,000
	Secretary of Embassy - - - - - -	6 a-day	400	280	200
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Military Attaché - - - - - - -	–	–	–	–
	Naval ditto - - - - - - - -	–	–	–	–
- - - -	Ambassador Extraordinary and Plenipotentiary -	–	2,500	1,700	1,250
	Secretary of Embassy - - - - -	5 „	250	166	125
	Second Secretary - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
- - - -	Ambassador Extraordinary and Plenipotentiary -	–	2,500	1,700	1,250
	Secretary of Embassy - - - - -	5 „	200	140	100
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
- - - -	Ambassador Extraordinary and Plenipotentiary -	–	2,700	1,700	1,250
	Secretary of Embassy - - - - -	5 „	300	200	150
	Oriental Secretary (of Legation) - - -	–	–	–	–
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
- - - -	Ambassador Extraordinary and Plenipotentiary -	–	2,500	1,700	1,250
	Secretary of Embassy - - - - -	4 „	200	140	100
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
Second Class.					
- - - -	Envoy Extraordinary and Minister Plenipotentiary	–	2,000	1,400	1,000
	Secretary of Legation - - - - - -	4 „	200	140	100
	Second Secretary - - - - - - -	–	–	–	–
States - - -	Envoy Extraordinary and Minister Plenipotentiary	–	2,000	1,400	1,000
	Secretary of Legation - - - - -	4 „	200	140	–
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–
	Naval Attaché - - - - - - -	–	–	–	–
- - - -	Envoy Extraordinary and Minister Plenipotentiary	–	2,000	1,400	1,000
	Secretary of Legation - - - - -	4 „	180	130	90
	Second Secretary - - - - - - -	–	–	–	–
	Ditto - - - - - - - -	–	–	–	–

STATEMENT showing the present Scale of Outfit of Her Majesty's Diplomatic Servants Abroad—*continued.*

Classification, with reference to the Act 2 & 3 William 4, c. 116.	CHARACTER.	Allowance to an Acting Chargé d'Affaires.	SCALE OF OUTFIT.		
			Full.	Two-thirds.	One-
SECOND CLASS—*continued.*		£.	£.	£.	£
Portugal	Envoy Extraordinary and Minister Plenipotentiary	–	1,600	1,100	8
	Secretary of Legation	4 a day	180	130	
	Second Secretary	–	–	–	
Brazil	Envoy Extraordinary and Minister Plenipotentiary	–	1,600	1,100	8
	Secretary of Legation	4 „	200	140	1
	Second Secretary	–	–	–	
Netherlands	Envoy Extraordinary and Minister Plenipotentiary	–	1,300	800	6
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
Belgium	Envoy Extraordinary and Minister Plenipotentiary	–	1,300	800	6
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
Bavaria	Envoy Extraordinary and Minister Plenipotentiary	–	1,300	800	6
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
Denmark	Envoy Extraordinary and Minister Plenipotentiary	–	1,100	750	5
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
Sweden	Envoy Extraordinary and Minister Plenipotentiary	–	1,100	750	5
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
THIRD CLASS.					
Wurtemberg	Envoy Extraordinary and Minister Plenipotentiary	–	800	550	4
	Secretary of Legation	2 „	150	100	
	Second Secretary	–	–	–	
Greece	Envoy Extraordinary and Minister Plenipotentiary	–	800	550	4
	Secretary of Legation	3 „	150	100	
	Second Secretary	–	–	–	
Switzerland	Envoy Extraordinary and Minister Plenipotentiary	–	800	550	4
	Secretary of Legation	2 „	150	100	
Argentine Republic	Minister Plenipotentiary	–	1,100	750	5
	Secretary of Legation	3 „	180	130	
	Second Secretary	–	–	–	
Morocco	Minister Resident	–	–	–	
Central American Republics	Chargé d'Affaires and Consul General	–	800	550	4
Chile	- ditto	–	800	550	4
Peru	- ditto	–	800	550	4
Colombia	- ditto	–	655	436	3
Venezuela	- ditto	–	680	454	3
Monte Video	- ditto	–	565	376	2
Equator	- ditto	–	500	334	2
Coburg	Secretary of Legation (Chargé d'Affaires)	–	–	–	
Dresden	Secretary of Legation - (ditto)	–	–	–	
Darmstadt	- ditto	–	–	–	
Rome	Second Secretary	–	–	–	

(No. 2.)

CHARGE for SALARIES and ALLOWANCES of HER MAJESTY'S DIPLOMATIC SERVICE, and for the INCIDENTAL EXPENDITURE thereof (Extraordinaries), from 1815 to 1832, both Years included.

	Salaries and Allowances.			Incidental Expenses.		
	£.	s.	d.	£.	s.	d.
1815	118,284	–	–	154,325	–	–
1816	132,523	–	–	134,307	–	–
1817	146,822	–	–	35,676	–	–
1818	149,698	–	–	37,651	–	–
1819	149,052	–	–	33,636	–	–
1820	149,778	–	–	35,092	–	–
1821	149,713	–	–	27,217	–	–
1822	143,935	–	–	30,367	–	–
1823	140,366	–	–	31,936	–	–
1824	136,773	–	–	34,038	–	–
1825	133,427	–	–	50,321	–	–
1826	142,584	–	–	29,626	–	–
1827	132,553	–	–	19,002	–	–
1828	133,163	–	–	25,436	–	–
1829	132,149	–	–	18,274	–	–
1830	152,952	–	–	19,625	–	–
1831	134,056	–	–	12,809	–	–
1832	126,394	–	–	13,041	–	–

Appendix, No. 1.

CHARGES on DIPLOMATIC FUND, established by Act of 2 & 3 Will. 4, c. 112, for Diplomatic Salaries, House Rent, and Pensions.

Year ending 31 December	Salaries and House Rent.	Pensions.	TOTAL.
	£.	£.	£.
1833	116,197	22,878	139,075
1834	117,323	58,401	175,724
1835	122,195	59,217	181,412
1836	135,360	56,417	191,777
1837	133,795	54,953	188,748
1838	130,123	53,526	183,649
1839	136,857	52,420	189,277
1840	139,408	50,029	189,437
1841	141,668	48,235	189,903
1842	137,267	46,739	184,006
1843	138,583	43,061	181,644
1844	139,263	39,985	179,248
1845	135,425	40,562	175,987
1846	137,222	39,178	176,400
1847	133,957	38,685	172,642
1848	132,861	36,089	168,950
1849	128,731	32,920	161,651
1850	125,790	31,962	157,752
1851	122,204	31,890	154,094
1852	126,853	30,441	157,294
1853	126,321	26,234	152,555
1854	125,166	22,710	147,876
1855	123,958	29,462*	153,420
1856	131,987	23,437	155,424
1857	131,403	21,250	152,653
1858	139,991	19,530	159,521
1859	141,442	21,322	162,764
1860	145,295	22,061	167,356
1861	148,982	20,457	169,439
1862	148,149	20,423	168,572
1863	147,682	19,409	167,091
1864	144,526	17,777	162,303
1865	150,752	19,828	170,580
1866	155,114	19,484	174,598
1867	145,114	22,213	167,327
1868	140,637	23,241	163,878
1869	35,698 for one Quarter to 5 April 1869, after which the Salaries were estimated for.	23,983	59,681

Note.—The Salaries and House Rent are complete to the year ended 5 January 1869.

* The Pensions were paid for the year up to 5 January 1854, after which they were paid to 31 March, and accordingly five quarters are charged for in the year 1855.

Salaries of Third Secretaries are not included, as they were not charged to the Consolidated Fund.

N.B.—Since 1858 the salaries of the Chargés d'Affaires in South America have been gradually, and are now (1870) wholly charged in the Diplomatic Expenditure, and they amount at present to - - - - - - - - £. 11,400 a-year.

Also the Missions in China, Japan, and Persia - - - - - - - 19,050 „

New Charge - - - - £. 30,450

Foreign Ministers' Extraordinaries.

	£.	s.	d.
1831-32	9,638	7	10
1832-33	10,963	3	1
1833-34	12,227	11	9
1834-35	13,160	17	7
1835-36	11,854	5	10
1836-37	11,836	16	2
1837-38	11,038	7	3
1838-39	11,218	3	10
1839-40	12,586	13	11
1840-41	12,241	16	11
1841-42	13,198	15	7
1842-43	12,688	5	6
1843-44 (Dragomans' Salaries first charged)	15,663	6	9
1844-45 (Three Years' Rent of Houses at Constantinople during rebuilding of Embassy House).	21,381	6	2
1845-46	18,656	9	5
1846-47	18,457	9	3
1847-48 (including 3,781*l.* 6*s.* for 6¾ years of Washington Extraordinaries, paid to Executors of Mr. Fox.)	21,168	1	5
1848 49	16,803	–	11
1849-50	17,735	11	4
1850-51	19,694	14	–
1851-52	18,585	12	5
1852-53	18,520	8	4
1853-54	23,321	9	11
1854-55	27,501	15	7
1855-56	27,482	18	–
1856-57	30,783	14	–
1857-58	30,734	3	5
1858-59	36,818	5	6
1859-60	38,552	–	10
1860-61	35,562	5	3
1861-62	36,285	12	5
1862-63	37,002	8	11
1863-64	36,405	7	–
1864-65	32,886	–	9
1865-66	35,598	6	9
1866-67 (includes 2,337*l.* for Third Secretaries)	32,314	–	–
1867-68 £. 40,659			
Less for Persia 7,892			
	32,767	–	–
1868-69 (Extra Couriers and Telegrams charged to Foreign Office Vote.	30,539	2	9
1869-70 (including Persia, half year to 30 Sept. 1869)	16,102	–	–

(No. 3.)

DIPLOMATIC SERVICES.

I. ESTIMATE of the Amount required in the year ending 31st March 1871, to defray the Expenses of Her Majesty's Embassies and Missions Abroad.

Two Hundred and Twenty Thousand Nine Hundred and Nineteen Pounds.

II. SUB-HEADS under which this Vote will be accounted for by the FOREIGN OFFICE.

	1870-71.	1869-70.	INCREASE.	DECREASE
	£.		£.	£.
A.—SALARIES OF AMBASSADORS, &c., INCLUDING ALLOWANCES FOR RENT	151,150	152,560	—	1,410
B.—SALARIES OF SECOND AND THIRD SECRETARIES, &c., &c., &c.	24,119	22,683†	1,436	—
C.—WAGES	4,500	5,497†	—	997
D.—JOURNEYS ON THE PUBLIC SERVICE	5,000	6,576	—	1,576
E.—COURIERS	3,500	4,301	—	801
F.—TELEGRAMS	2,200	2,303	—	103
G.—PRINTING AND STATIONERY	500	315	185	—
H.—POSTAGE	4,200	4,285	—	85
I.—FUEL AND LIGHT	1,300	1,269	31	—
K.—EXTRA RENT AND FURNITURE	450	503	—	53
L.—LAW CHARGES	600	661	—	61
M.—BANKERS' COMMISSION	500	1,013	—	513
N.—PENSIONS	400	422	—	22
O.—INCIDENTAL EXPENSES	5,500	4,979	521	—
P.—SPECIAL MISSIONS AND SERVICES	12,000	17,500	—	5,500
Q.—OUTFITS	5,000	8,500	—	3,500
£.	220,919	233,667*	2,173	14,621

NET DECREASE - - - £.12,748

* The Amount of this Estimate for 1869-70 was - - - - £. 233,667
Deduct,—Amount not Voted - - - - - - - 309

£.233,667

† The Amount Voted under B. for 1869-70 was - - - - - - £. 14,448, and for C. - - - £.13,732
Add,—Transferred from C., which is proportionately reduced, - - - 8,235 Deduct - - - 8,235

£. 22,683 £. 5,497

Note.—In aid of the Estimate, the following Contributions are received from the Indian Government, viz.:— £.
On account of Her Majesty's Mission in China - - - - - - - - - - - - 2,700
Ditto - ditto - Persia - - - - - - - - - - - 12,000

TOTAL - - - £. 14,700

which amount is paid into the Exchequer.

DIPLOMATIC SERVICES—*continued.*

DETAILS of the foregoing.

SALARIES OF AMBASSADORS, SECOND AND THIRD SECRETARIES, &c.

UNTRY.	NUMBERS.		OFFICE.	A. Salaries and Rent Allowances of Ambassadors, Ministers, &c.				B. Salaries of Second and Third Secretaries, (*see end of Estimate*), Chaplains, and Dragomans, &c.	
				Salary.	Rent.	Salary.	Rent.		
	1869-70.	1870-71.		1870-71.	1870-71.	1869-70.	1869-70.	1870-71.	1869-70.
				£.	£.	£.	£.	£.	£.
tine Re-	1	1	Minister Plenipotentiary - - - - -	3,000	400	3,000	400	–	–
blic.	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
ia -	1	1	Ambassador - - - - - - -	8,000	1,200	8,000	1,200	–	–
	1	1	Secretary of Embassy - - - - -	900	200	900	100	–	–
	1	1	Chaplain - - - - - - - -	–	–	–	–	300	300
ia - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,600	400	3,600	400	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
um - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,480	520	3,480	520	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
il - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	4,000	700	4,000	700	–	–
	1	1	Secretary of Legation - - - - -	700	–	700	–	–	–
	1	1	Translator - - - - - - - -	–	–	–	–	300	300
ral America	1	1	Chargé d'Affaires and Consul General - -	2,000	–	2,000	–	–	–
	1	1	Clerk - - - - - - - - -	–	–	–	–	150	150
- -	1	1	Chargé d'Affaires and Consul General - -	2,000	–	2,000	–	–	–
	1	1	Clerk - - - - - - - - -	–	–	–	–	250	250
a* - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	6,000	(*a*)	6,000	–	–	–
	1	1	Secretary of Legation and Chinese Secretary	1,200	–	1,200	–	–	–
ırg - -	1	1	Secretary of Legation (Chargé d'Affaires) -	650†	200	650†	200	–	–
mbia -	1	1	Chargé d'Affaires and Consul General - -	2,000	–	2,000	–	–	–
	1	1	Clerk - - - - - - - - -	–	–	–	–	100	100
mstadt -	1	1	Secretary of Legation - - - -	500	200	500	200	–	–
mark -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,600	400	3,600	400	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
	1	1	Chaplain - - - - - - - -	–	–	–	–	85	85
sden - -	1	1	Secretary of Legation (Chargé d'Affaires) -	750†	200	750†	200	–	–
ator - -	1	1	Chargé d'Affaires and Consul General -	1,400	–	1,400	–	–	–
	1	1	Clerk - - - - - - - - -	–	–	–	–	150	150
nce - -	1	1	Ambassador - - - - - - -	10,000	–*a*	10,000	–	–	–
	1	1	Secretary of Embassy - - - - -	1,000	200	1,000	200	–	–
	1	1	Military Attaché - - - - - -	–	–	–	–	500	500
	1	1	Naval Attaché - - - - - - -	–	–	–	–	500	500
	1	1	Registrar and Librarian (omitted in 1869-70)	–	–	–	–	479	–
	33	33	Carried forward - - - £.	56,780	4,620	56,780	4,520	2,814	2,335

* One-third of the expenditure for diplomatic services in China is contributed by Indian revenue, and paid to the Exchequer.
† Including the Allowance of 250 *l.* for length of service as Secretary of Legation.
(*a*) House Rent provided for in Class I.

DIPLOMATIC SERVICES—*continued.*

A. & B.—SALARIES OF AMBASSADORS, SECOND AND THIRD SECRETARIES, &c.—*continued.*

COUNTRY.	NUMBERS.		OFFICE.	A. Salaries and Rent Allowances of Ambassadors, Ministers, &c.				B. Salaries of Second and Third Secretaries (*see end of Estimate*), Chaplains, and Dragomans, &c.	
				Salary.	Rent.	Salary.	Rent.		
	1869-70.	1870-71.		1870-71.	1870-71.	1869-70.	1869-70.	1870-71.	1869-70.
				£.	£.	£.	£.	£.	£.
	33	33	Brought forward - - -	56,780	4,620	56,780	4,520	2,814	2,335
Greece -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,500	300	3,500	300	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
	1	1	Chaplain - - - - - - - -	–	–	–	–	100	100
	1	1	Translator - - - - - - -	–	–	–	–	200	200
Italy - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	5,000	600	5,000	600	–	–
	1	1	Secretary of Legation - - - - -	950*	–	950*	–	–	–
	1	1	Chaplain - - - - - - - -	–	–	–	–	50	50
Japan - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	4,000	(*a*)	4,000	–	–	–
	1	1	Secretary of Legation - - - - -	800	–	800	–	–	–
	1	1	Japanese Secretary - - - - -	700	–	700	–	–	–
Monte Video -	1	1	*Chargé d'Affaires and Consul General* -	–	–	1,695	–	–	–
Morocco -	1	1	Minister Resident (in addition to 1,600 *l.* as Consul General).	400	–	400	–	–	–
	1	1	Interpreter - - - - - - -	–	–	–	–	60	60
	1	1	Clerk - - - - - - - -	–	–	–	–	150	150
Netherlands -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,600	400	3,600	400	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
Peru - -	1	1	Chargé d'Affaires and Consul General - -	2,000	–	2,000	–	–	–
	1	1	Clerk - - - - - - - -	–	–	–	–	300	300
Persia - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	5,000	(*a*)	5,000	–	–	–
	1	1	Secretary of Legation - - - - -	750	–	750	–	–	–
	1	1	Oriental Secretary - - - - -	600	–	600	–	–	–
	1	1	Physician - - - - - - - -	–	–	–	–	600	600
	1	1	Translator - - - - - - -	–	–	–	–	300	300
Portugal -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	4,000	400	4,000	400	–	–
	1	1	Secretary of Legation - - - - -	750*	–	750*	–	–	–
	1	1	Translator - - - - - - -	–	–	–	–	200	200
Prussia - -	1	1	Ambassador - - - - - -	7,000	1,000	7,000	1,000	–	–
	1	1	Secretary of Embassy - - - -	800	100	800	100	–	–
Rome - -	1	1	Secretary - - - - - - - -	1,050*	200	1,050*	200	–	–
Russia - -	1	1	Ambassador - - - - - -	7,800	1,200	7,800	1,200	–	–
	1	1	Secretary of Embassy - - - - -	900	150	900	150	–	–
	1	1	Translator - - - - - - -	–	–	–	–	300	300
Spain - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	5,000	500	5,000	500	–	–
	1	1	Secretary of Legation - - - - -	700	–	700	–	–	–
	1	1	Chaplain - - - - - - - -	–	–	–	–	200	200
	1	1	Clerk and Assistant - - - - -	–	–	–	–	300	300
Sweden - -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	3,000	400	3,000	400	–	–
	1	1	Secretary of Legation - - - - -	500	–	500	–	–	–
Switzerland -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	2,500	300	2,500	300	–	–
	1	1	Secretary of Legation - - - - -	400	–	400	–	–	–
	73	72	Carried forward - - - £.	119,480	10,170	121,175	10,070	5,574	5,095

* Including the allowance of 250*l.* for length of service as Secretary of Legation.
(*a*) House Rent provided for in Class I.

DIPLOMATIC SERVICES—*continued.*

A & B.—SALARIES OF AMBASSADORS, SECOND AND THIRD SECRETARIES, &c.—*continued.*

COUNTRY.	NUMBERS.		OFFICE.	A. Salaries and Rent Allowances of Ambassadors, Ministers, &c.				B. Salaries of Second and Third Secretaries (*see end of Estimate*), Chaplains, and Dragomans, &c.	
				Salary.	Rent.	Salary.	Rent.		
	1869-70.	1870-71.		1870-71.	1870-71.	1869-70.	1869-70.	1870-71.	1869-70.
				£.	£.	£.	£.	£.	£.
	73	72	Brought forward - - -	119,480	10,170	121,175	10,070	5,574	5,095
Turkey - -	1	1	Ambassador - - - - - - -	8,000	(*a*)	8,000	–	–	–
	1	1	Secretary of Embassy - - - - -	900	–	900	–	–	–
	1	1	Oriental Secretary - - - - -	850*	–	850*	–	–	–
	1	1	Physician - - - - - - - -	–	–	–	–	300	300
	1	1	Chaplain (including 100 *l.* a year for Rent).	–	–	–	–	400	400
	4	4	Dragomans, at 900 *l.*, 600 *l*, 500 *l.*, and 300 *l.*, respectively.	–	–	–	–	2,300	2,300
	1	1	Archivist (including 200 *l.* Personal Allowance).	–	–	–	–	650	650
	1	1	British Medical Member of Board of Health -	–	–	–	–	400	400
	1	1	Custodian of British Cemeteries - - -	–	–	–	–	240	240
United States -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	5,000	1,000	5,000	1,000	–	–
	1	1	Secretary of Legation - - - - -	700	–	700	–	–	–
	1	1	Naval Attaché - - - - - - -	–	–	–	–	500	500
Venezuela -	1	1	Chargé d'Affaires and Consul General - -	2,000	–	2,000	–	–	–
	1	1	Clerk - - - - - - - - -	–	–	–	–	150	150
Wurtemburg -	1	1	Envoy Extraordinary and Minister Plenipotentiary.	2,000	300	2,000	300	–	–
	1	1	Secretary of Legation - - - - -	650*	100	465*	100	–	–
	34	34	Second Secretaries, viz.:—						
			One at 500 *l.* a year - - -						
			Seven „ 400 *l.* „ each - -						
			Five „ 350 *l.* „ „ - -	–	–	–	–	10,650	10,650
			Seven „ 300 *l.* „ „ - -						
			Fourteen „ 250 *l.* „ „ - -						
	17	21†	Third Secretaries at 150 *l.* a year each - -	–	–	–	–	2,955	2,298
	143	146		139,580	11,570	141,090	11,470	24,119	22,743
			House Rent - - -	11,570		11,470			
			£.	151,150		152,560			

Note.—The Second and Third Secretaries, instead of being assigned to different Embassies and Missions, as was the case last year, are brought together in the present Estimate, by which means they are rendered available for general service at those Embassies or Missions where they are most required.

* Including the Allowance of 250 *l.* for length of service as Secretary of Legation.

† Five of these will complete their Probationary Service in 1870-71.

(*a*) House Rent provided for in Class I.

Appendix. No. 1. DIPLOMATIC SERVICES—*continued.*

P.—SPECIAL MISSIONS:

AMOUNTS charged in the Foreign Office Books on account of the above Service during the Year 1869, in continuation of the Statement furnished last Year.

DESCRIPTION OF SERVICE.	£.	s.	d.
Expenses of the Turco-Persian Boundary Commission	1,598	6	2
Ditto - the Bosphorus Navigation Commission	258	–	–
Ditto - the "Mermaid" Commission	1,618	9	8
Ditto - the Commission for regulating the Navigation of the Danube	3,393	14	10
Ditto - the British and Venezuelan Claims Commission	911	12	5
Ditto - the Hudson's Bay and United States' Claims Commission	1,275	12	7
Ditto - the North American Boundary Commission	529	7	6
Ditto - the International Conference held at Genoa on the Interchange of Wounded Prisoners in time of War	165	7	6
Ditto - the Horticultural Congress held at Hamburgh	29	15	–
Ditto - Lord Elgin's Special Mission to China	150	–	–
£.	9,930	5	8

Q.—OUTFITS:

AMOUNTS charged in the Foreign Office Books on account of the above Service during the Year 1869, in continuation of the Statement furnished last Year.

			£.
Mr. H. G. MacDonell -	*Secretary of Legation* -	*Buenos Ayres* -	180
Mr. G. F. Gould - - -	*- ditto* - - -	*Athens* - -	75
Mr. Robert T. C. Middleton	*Chargé d'Affaires and Consul General.*	*Caracas* - -	680
Mr. Thomas C. Cobbold -	*Secretary of Legation* -	*Rio de Janeiro* -	200
Right Hon. Austen H. Layard	*Envoy Extraordinary and Minister Plenipotentiary.*	*Madrid* - -	2,000
		£.	3,135

(No. 4.)

NOMINAL LIST of present Heads of EMBASSIES and MISSIONS.

	Ambassadors.	Secretaries of Embassy.
Austria	Lord Bloomfield	Hon. E. Lytton.
France	Lord Lyons	Hon. L. S. West.
Prussia	Lord A. Loftus	Mr. Petre.
Russia	Sir A. Buchanan	Mr. W. Rumbold.
Turkey	Hon. Sir H. Elliot	Mr. Barron. Mr. Hughes, Oriental Secretary.
	Envoys.	**Secretaries of Legation.**
Lisbon	Sir C. Murray	Mr. Doria.
Munich	Sir H. Howard	Mr. Fenton.
Stockholm	Mr. Jerningham	Hon. W. Jocelyn.
Stuttgardt	Mr. Gordon	Mr. Baillie.
The Hague	Admiral Hon. E. Harris	Mr. Locock.
Florence	Sir A. Paget	Mr. Herries.
Copenhagen	Sir C. Wyke	Mr. Strachey.
Washington	Mr. Thornton	Mr. Ford.
Pekin	Sir R. Alcock	Mr. Wade.
Teheran	Mr. Alison	Mr. Thomson. Mr. Dickson, Oriental Secretary.
Tangier	Sir John Hay	Mr. Thomson.
Rio Janeiro	Mr. Mathew	Mr. Cobbold.
Athens	Hon. E. Erskine	Mr. Watson.
Yedo	Sir H. Parkes	Mr. Adams. Mr. Satow, Japanese Secretary.
Brussells	Mr. Lumley	Mr. Pakenham.
Buenos Ayres	Hon. W. Stuart	Mr. Macdonnell.
Berne	Mr. Bonar	Mr. Gould.
Madrid	Mr. Layard	Mr. Ffrench.

Chargés d'Affaires and Consul General.

Peru	The Hon. W. Jerningham.
Chili	Mr. Thomson.
Haiti	Mr. St. John.
Colombia	Mr. Bunch.
Guatemala	Mr. Corbett.
Ecuador	Mr. Hamilton.
Venezuela	Mr. Middleton.

Secretaries of Legation and Chargés d'Affaires.

Coburg	Mr. Barnard.
Darmstadt	Mr. Morier.*
Dresden	Mr. Burnley.

Secretary of Legation.

Rome	Mr. Russell.

* Mr. Morier is only Secretary of Legation.

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(No. 5.)

REGULATIONS as to Advances on Extraordinaries; Payment of Salaries and Outfits; Allowances to Chargé d'Affaires and Acting Consuls; Constantinople Extraordinaries, 1853 to 1869; Regulations for the Diplomatic Service; Number of Second and Third Secretaries, &c.

Regulation as to Advances on Extraordinaries.

At Constantinople the Ambassador is allowed to draw, I believe, on the old footing, 600 *l.* in the first, 600 *l.* in the second, and 1,500 *l.* in the third.

The heads of certain embassies and missions, where the expenditure is large, are allowed to draw on the chief clerk, at the expiration of each month, a bill for seven-eighths of their expenditure; and other heads of missions, where the expenses are small, are allowed to draw a bill for seven-eighths at the end of the quarter.

In every case the balance due upon the account is paid at the Foreign Office by an order upon the Paymaster General as soon as the account has been examined and passed.

Regulation as to Payment of Diplomatic and Consular Salaries.

Diplomatic and consular salaries are paid quarterly, on the receipt of a life certificate from the person entitled to salary; the amount due to him is ascertained, and an order is drawn by the chief clerk on the Paymaster General, payable to such person or his duly constituted agent.

Regulation as to Outfits.

Diplomatic.—As a general rule the outfit allowance is calculated at the proportion of one-third of the yearly salary. The full outfit is granted to a person on his first appointment as a secretary of legation or of embassy; on his being named for the first time to a mission; on his being appointed for the first time ambassador; or on his being recalled into employment after an interval unemployed of more than eight years' duration. Two-thirds only of the outfit are given in cases of promotion from a secretaryship of legation to a secretaryship of embassy, and from the rank of a resident minister, or minister plenipotentiary, to that of an envoy extraordinary and minister plenipotentiary; and from that of envoy extraordinary and minister plenipotentiary at a mission of the second class to that of an envoy extraordinary and minister plenipotentiary at a mission of the first class; and, lastly, on a person being recalled into employment after an interval of above three and under eight years' duration. One-half of the outfit is given on removal from one secretaryship of legation to another; from one secretaryship of embassy to another; from one place of minister resident or minister plenipotentiary to another; from one place of envoy extraordinary and minister plenipotentiary to another; and from the place of ambassador at one court to the place of ambassador at another court.

Allowances to Chargé d'Affaires.

These allowances are, as the case may be, at the rate of 6 *l.*, 5 *l.*, 4 *l.*, 3 *l.*, and 2 *l.*, a-day.

(*See* annexed Statement.)

Allowances to Acting Consuls.

If the acting consul be a salaried officer of the Crown, a sum is granted to him equal to one-half of the sum deducted from the consul's salary.

If the acting consul be a paid clerk of the consul, a sum is granted to him equal to two-thirds of the sum deducted from the consul's salary.

If the acting consul be neither a salaried officer of the Crown, nor a paid clerk of the consul, a sum is granted to him for his services equal to the sum deducted from the consul's salary.

Constantinople Extraordinaries, 1853 to 1869.

	£.		£.
1853-54	6,987	1862-63	12,399
1854-55	8,443	1863-64	11,008
1855-56	8,269	1864-65	10,092
1856-57	8,853	1865-66	10,896
1857-58	8,613	1866-67	9,603
1858-59	12,078	1867-68	9,261
1859-60	12,560	1868-69	9,556
1860-61	11,728	1869, for three quarters, June, September, and December	7,092
1861-62	12,165		

What Items are Charged in the above Extraordinaries.

Salaries of dragomans, clerks, translators, physicians, chaplains, organists, servants' wages and board wages, and custodian of British cemeteries on the Bosphorus.

Journeys on Public Service.
Couriers.
Telegrams.
Printing and stationery (including State Papers and book-binding).
Postage.
Fuel and light.
Extra rent and furniture.
Law charges.
Banker's commission.
Pensions.

Incidental expenses include also generally foreign newspapers, porterage, boats, boatmen, and horse-hire, translations, fêtes, illuminations, customary presents and official fees, dresses and embroidered belts for cavasses, garden expenses, supply of water (Constantinople), and any other sundry expenses which would not come within the specific sub-heads.

Regulations for Her Majesty's Diplomatic Service.

(Revised and confirmed by the Earl of Clarendon, 23 April 1869.)

1. Nomination, qualification, and examination of candidates for attachéships.

THE junior members of the Diplomatic Service must pass two examinations before the Civil Service Commissioners; and at the time of presenting themselves for the first they must have completed the 20th year of their age, and have not exceeded the 26th.

In the first examination, which candidates for attachéships must be prepared to undergo within three months from the date of their nomination, they must satisfy the examiners in regard to the following points:—

1. Orthography.

2. Handwriting.

3. General intelligence.

4. Précis writing.

5. That they are well grounded in Latin Grammar, and are able to construe and parse a portion of some good classical Latin author, and to give the derivation of words.*

6. That they are acquainted with the first four rules of arithmetic and decimal fractions, as given in Colenso's Arithmetic, and with the first book of Euclid.

7. That they have a general knowledge of geography.

8. That they have a general knowledge of French grammar, and can translate correctly from French into English.

9. That they have a general knowledge of German grammar.

10. That they have a general knowledge of the constitutional history of England, to be acquired from Blackstone's "Commentaries" (Ker's Edition, 1862), and Hallam's "Constitutional History of England."

11. That

* Candidates who have passed the first public examination in classics at one of the Universities in Great Britain or Ireland, or at the Royal Academy at Woolwich, or one of the public examinations for the army or navy, will be exempted from being examined in Latin; but candidates claiming this exemption must, on going up for examination, exhibit to the Civil Service Commissioners a certificate from the duly-constituted authorities, examiners, or others, under whom they have been examined, that they have passed the first public examination in classics, in whatever manner that examination may have been conducted, and to whatever point directed.

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11. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Paris, in 1815, to the Treaty of Villafranca, in 1860, comprising an acquaintance with the most important international transactions during that period.

In the second examination, which must be undergone in the interval between the grant of a commission as third secretary and that of a commission as second secretary, candidates will be exempted from re-examination in the 1st, 2nd, 5th, 6th, 7th, and 10th subjects in which they have passed in their previous examinations; but they must satisfy the examiners in regard to the following points:—

1. General intelligence, as evinced by the manner in which they acquit themselves, and specifically by the quickness they may show in seizing the points in papers read by them, or read over to them, once or twice.

2. Précis writing.

3. That they have a general knowledge of French grammar; that they can converse fluently in that language on ordinary topics; and can translate correctly from English into French, as well as from French into English.

4. That they have a general knowledge of German grammar, and can translate correctly from German into English; or if the candidates, between the first and second examinations, have not resided a reasonable time, twelve months for instance, in Germany they may, if they desire it, substitute in their second examination, for a general knowledge of German grammar and for correct translation from German into English, the same qualifications in some other foreign language besides French.

5. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Versailles in 1783, to the Treaty of Villafranca, in 1860, comprising the most important international transactions during that period.

6. That they have a general knowledge of political economy, to be acquired from Adam Smith's "Wealth of Nations," and Mill's "Political Economy."

7. That they have a general knowledge of Maritime and International Law, to be acquired from Vattel, Wheaton's "Elements of International Law," and the first volume of Kent's "Commentaries."

8. They must satisfy the examiners, by submitting to them a general report on the commerce of the several countries in which they have resided, and on their political relations with other countries, that they are competent to draw up such a report; and they must be prepared to answer any questions put to them by the examiners within the limits of such report.

2. Period of service of attachés.

The services of attachés will reckon from the date of the certificate first granted by the Civil Service Commissioners, and will be considered as probationary for four years from that date, during which period the attachés must have been employed for six months in the Foreign Office, and must also have actually resided at one of Her Majesty's Embassies or Missions abroad, or have been actually employed in the Foreign Office for such a time as in the aggregate will make up a further period of three years. If these conditions as to employment and residence have not been fulfilled at the expiration of four years from the date of the certificate of the Civil Service Commissioners of their having passed the first examination, the probationary period will be prolonged until they have been fulfilled.

3. Commissions as third secretaries to be granted to attachés on completion of their probation.

Commissions as third secretaries under Her Majesty's Sign Manual, will be granted to attachés, on the termination of the probationary period, and on the fulfilment of the conditions specified in the present regulations, together with a salary at the rate of 150 *l.* a year; provided that the Minister under whom they have last served certifies that their general character and good conduct, during the time they have so served, have been satisfactory; and that, as far as such Minister has the means of forming an opinion, they understand and speak French well, and also one other foreign language.

4. A salary of 150 *l.* a-year will be granted, contingently, to attachés on completion of their probation.

Second secretaries will constitute an intermediate class between third secretaries and secretaries of Legation.

The Secretary of State will assign to each embassy or mission such a number of secretaries of the second and third classes as he may deem fit; it being always understood that secretaries of these two classes may be named indiscriminately to either an embassy or mission, without reference to their previous employment in one or other of them. They are to be designated as third or second secretary in the specific embassy or mission in which they may at that time be employed, but not as third or second secretary of Embassy or Legation.

5. Number of second secretaries.

The number of second secretaries is restricted to the number of first and second paid attachés in the service on the 15th of September 1862. Their salaries will be issued according to the scale established for the particular embassy or mission in which they may be actually serving, without reference to any previous amount of salary they may have received.

6. Rules as to pensions of the fourth class.

In virtue of Her Majesty's Commissions, the service of second and third secretaries will

will count for their pensions, under the Act of 2 & 3 Will. 4, c. 116, from the date of the issue of their first commission; but the amount of pension to be assigned to them will be calculated, so long as they are eligible for a pension of the fourth class only, for each year that has elapsed since the date of their first commission at one-thirtieth part of the last salary of which they were in receipt at the time of the pension being granted; provided that no pension shall continue to be issued to a person not incapacitated by ill-health, medically certified, who may decline active service before he has reached the sixtieth year of his age, after which age no person shall be required to serve as second or third secretary.

7. Provision for the transfer of the junior members of the Diplomatic Service from one post to another; and payment of their expenses of removal.

Second or third secretaries, and attachés, as a general rule, will not be employed for more than two years, exclusive of the periods during which they may have been absent on leave, in the same embassy or mission, unless for special public reasons. Secretaries of embassy or legation, second and third secretaries, and attachés, will on their first appointment, or on any subsequent removal by reason of promotion or otherwise on public grounds, receive such an allowance as shall be sufficient to cover the actual expense of their personal journey by land, or the actual amount paid for their personal passage by sea, either from England to their post, or from one foreign post to another; and in the case of secretaries of embassy or legation, and of second secretaries, a similar allowance for one servant, if they have one; but no allowance will be made for the expense of the journey or subsistence of the families of any such secretaries or attachés. In the case of a mere change of post, not carrying with it increase of salary, an allowance of 1 *l.* a day, as subsistence money during a journey by land, will be given for each day actually employed in travelling by the direct road. In the event of a passage being afforded to secretaries or attachés on board of one of Her Majesty's ships of war, the allowance made will be in conformity with the Admiralty regulations.

No allowance will be made to the junior members of the Diplomatic Service for journeys undertaken for their own convenience, in pursuance of leave of absence; but in all such cases the expense of the journeys from and on returning to their post will be exclusively at their own charge.

It is understood, moreover, that in the case of any journey of which the expense is to be allowed, secretaries or attachés, unless specially excused from doing so, will be bound to take charge of despatches if required; and in that case they will be expected to perform the journey without delaying on the road.

8. Interchange of employment between second and third secretaries, and junior clerks in the Foreign Office.

The Secretary of State will, should he see occasion, for the advantage of the public service, allow second and third secretaries, and attachés to interchange for a time their duties with clerks of the three junior classes in the Foreign Office; the several parties being bound, for the whole period through which the interchange extends, in every respect to perform the duties and to submit to the obligations attaching to the situation which they may temporarily occupy.

The Secretary of State will, moreover, if he sees reason to do so, direct such temporary interchange of duties to be made, irrespective of the wishes of the parties, between second or third secretaries or attachés and clerks in the Foreign Office; or he will direct such persons to be employed for a time, at home or abroad, without any interchange, making in either case such an allowance to the parties as he may consider just and reasonable. In the event of any attaché being so employed in the Foreign Office, the period over and above the six months which are obligatory, as stated in section 2, during which he shall be actually employed in the Foreign Office, shall reckon towards the three years during which he is by these regulations to reside at an embassy or mission abroad.

In the case of temporary interchanges between secretaries and clerks, they will respectively rank, in the embassy or mission, and Foreign Office, as the case may be, during the period for which the interchange shall last, after the junior in the class of secretaries or clerks to which either of them belongs.

If a clerk in the Foreign Office should be permanently transferred to the Diplomatic Service, or should be temporarily employed with a special, or with an ordinary embassy or mission, he will receive a commission or an acting appointment, as the case may be, as secretary of the second or third class.

A first-class junior clerk who has acquired a standing in the office which qualifies him to act as assistant clerk will receive an acting commission as second secretary; and a second or third-class junior clerk will receive an acting commission as third secretary.

9. Deductions to be made from salaries of heads of missions on leave of absence.

With a view to relieve heads of missions on leave of absence on private grounds, the deduction to be made from their salaries will in future be limited, for a period not exceeding 60 days from the date of their departure from their posts, to the sum required to provide for the allowances of the Acting Chargé d'Affaires according to the present regulations; on the expiration of which period the deduction will be at the rate of one-half of their salaries. Such period of 60 days may either be one of 60 consecutive days, or of 60 days occurring at intervals in the course of one year beginning on the 1st of January and ending on the 31st December.

10. Allowances during war or interruption of relations.

Should an Ambassador, Minister, or Secretary, by reason of war or other interruption of Diplomatic relations, be withdrawn from active service before his services shall have qualified him for a Diplomatic pension of the class under which he would otherwise come, the Secretary of State will, as he may see fit, assign to any such person who cannot otherwise be immediately employed, and during any period not exceeding the continuance of such war or interruption of Diplomatic relations, a temporary allowance calculated on

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the rate of pension assigned to the class to which he belongs, regard being had to the length and general character of his services; such allowance being, however, strictly subject to the condition in regard to employment specified in the 7th section of the Act 2 & 3 Will. 4, c. 116.

Foreign Office, 23 April 1869.

Number of Second and Third Secretaries and Attachés in 1869, *and Attachés in* 1861.

In 1869, the number of second (34), and third secretaries (13), and attachés (17), was 64.

In 1861, the number of attachés (paid 39, and unpaid 42) was 81 (not including five temporary attachés).

Consular Fees.

At the expiration of each quarter, the Consuls who levy fees on Government account, transmit to the Secretary of State a certified statement of the gross amount of all fees collected at their Consulates during the quarter, and remit bills for the same.

(No. 6.)

ATEMENT showing the SCALE of SALARIES and ALLOWANCES for HOUSE RENT and OUTFIT Her Majesty's Diplomatic Servants Abroad in 1861, compared, as regards Heads of Missions, th 1870.

Classification, with reference to the Act 2 & 3 Will. 4, cap. 116.	CLASSIFICATION.	Salary.	Allowance for House Rent.	Allowance to an Acting Chargé d'Affaires.	SCALE OF OUTFIT.			Increase in 1870.
					Full.	Two-thirds.	One-half.	
First Class:		£.	£.	£.	£.	£.	£.	£.
France	Ambassador Extraordinary and Plenipotentiary	10,000	–	–	4,000	2,800	2,000	–
	Secretary of Embassy	1,000	200	6 a day	400	280	200	–
	1st Paid Attaché	400	–	–	–	–	–	–
	2nd ditto	300	–	–	–	–	–	–
	3rd ditto	250	–	–	–	–	–	–
	Military Attaché	500	–	–	–	–	–	–
	Naval ditto	500	–	–	–	–	–	–
Russia	Ambassador Extraordinary and Plenipotentiary	7,000	900	–	2,000	1,400	1,000	800
	Secretary of Embassy	900	–	5 a day	250	166	125	–
	1st Paid Attaché	400	–	–	–	–	–	–
	2nd ditto	300	–	–	–	–	–	–
Austria	Ambassador Extraordinary and Plenipotentiary	7,000	900	–	2,500	1,700	1,250	1,000
	Secretary of Embassy	900	–	5 a day	200	140	100	–
	1st Paid Attaché	400	–	–	–	–	–	–
	2nd ditto	300	–	–	–	–	–	–
Turkey	Ambassador Extraordinary and Plenipotentiary	8,000	–	–	2,700	1,700	1,250	–
	Secretary of Embassy	900	–	5 a day	300	200	150	–
	Oriental Secretary (of Legation)	600	–	–	–	–	–	–
	1st Paid Attaché	350	–	–	–	–	–	–
	2nd ditto	300	–	–	–	–	–	–
	3rd ditto	300	–	–	–	–	–	–
	4th ditto	300	–	–	–	–	–	–
Second Class:								
Spain	Envoy Extraordinary and Minister Plenipotentiary	5,000	500	–	2,000	1,400	1,000	–
	Secretary of Legation	700	–	4 a day	200	140	100	–
	Paid Attaché	250	–	–	–	–	–	–
Prussia	Envoy Extraordinary and Minister Plenipotentiary	5,000	600	–	2,000	1,400	1,000	2,000
	Secretary of Legation	700	–	4 a day	200	140	100	–
	1st Paid Attaché	350	–	–	–	–	–	–
	2nd ditto	250	–	–	–	–	–	–
	Military Attaché	500	–	–	–	–	–	–
United States	Envoy Extraordinary and Minister Plenipotentiary	4,500	600	–	1,800	1,200	900	500
	Secretary of Legation	700	–	4 a day	200	140	100	–
	1st Paid Attaché	300	–	–	–	–	–	–
	2nd ditto	250	–	–	–	–	–	–
Portugal	Envoy Extraordinary and Minister Plenipotentiary	4,000	400	–	1,600	1,100	800	–
	Secretary of Legation	500	–	4 a day	180	130	90	–
	Paid Attaché	250	–	–	–	–	–	–
Brazil	Envoy Extraordinary and Minister Plenipotentiary	4,000	700	–	1,600	1,100	800	–
	Secretary of Legation	700	–	4 a day	200	140	100	–
	Paid Attaché	250	–	–	–	–	–	–
Netherlands	Envoy Extraordinary and Minister Plenipotentiary	3,600	400	–	1,300	800	650	–
	Secretary of Legation	500	–	3 a day	180	130	90	–
	Paid Attaché	250	–	–	–	–	–	–
Belgium	Envoy Extraordinary and Minister Plenipotentiary	3,600	400	–	1,300	800	650	–
	Secretary of Legation	500	–	3 a day	180	130	90	–
	Paid Attaché	250	–	–	–	–	–	–
Italy	Envoy Extraordinary and Minister Plenipotentiary	5,000	500	–	1,600	1,100	800	–
	Secretary of Legation	700	–	4 a day	180	130	90	–
	1st Paid Attaché	350	–	–	–	–	–	–
	2nd ditto	250	–	–	–	–	–	–

STATEMENT showing the present Scale of Salaries and Allowances for House Rent and Outfit, &c.—*continued.*

1870.	Classification, with reference to the Act 2 & 3 Will 4, cap. 116.	CLASSIFICATION.	Salary.	Allowance for House Rent.	Allowance to an Acting Chargé d'Affaires	SCALE OF OUTFIT. Full.	Two-Thirds.	One-half.	Increase in 1870.
£.	*Third Class.*		£.	£.	£.	£.	£.	£.	£.
3,600	Bavaria	Envoy Extraordinary and Minister Plenipotentiary	3,600	400	–	1,300	800	650	–
		Secretary of Legation	500	–	3 a day	180	130	90	–
		Paid Attaché	250	–	–	–	–	–	–
3,600	Denmark	Envoy Extraordinary and Minister Plenipotentiary	3,600	400	–	1,100	750	550	–
		Secretary of Legation	500	–	3 a day	180	130	90	–
		Paid Attaché	250	–	–	–	–	–	–
3,000	Sweden	Envoy Extraordinary and Minister Plenipotentiary	3,000	400	–	1,100	750	550	–
		Secretary of Legation	500	–	3 a day	180	130	90	–
		Paid Attaché	250	–	–	–	–	–	–
–	Hanover	Envoy Extraordinary and Minister Plenipotentiary	3,000	400	–	1,100	750	550	–
		Secretary of Legation	500	–	3 a day	180	130	90	–
–	Frankfort	Envoy Extraordinary and Minister Plenipotentiary	2,800	400	–	1,000	700	500	–
		Secretary of Legation	500	–	3 a day	150	100	75	–
		Paid Attaché	250	–	–	–	–	–	–
2,000	Wurtemberg	Envoy Extraordinary and Minister Plenipotentiary	2,000	300	–	800	550	400	–
		Secretary of Legation	400	100	2 a day	150	100	75	–
		Paid Attaché	250	–	–	–	–	–	–
–	Saxony	Envoy Extraordinary and Minister Plenipotentiary	2,000	300	–	800	550	400	–
		Secretary of Legation	400	200	2 a day	150	100	75	–
3,500	Greece	Envoy Extraordinary and Minister Plenipotentiary	3,100	300	–	800	550	400	400
		Secretary of Legation	400	–	2 a day	150	100	75	–
		Paid Attaché	250	–	–	–	–	–	–
2,500	Switzerland	Envoy Extraordinary and Minister Plenipotentiary	2,000	250	–	800	550	400	500
		Secretary of Legation	400	–	2 a day	150	100	75	–
–	Mexico	Envoy Extraordinary and Minister Plenipotentiary	3,600	400	–	1,300	800	650	–
		Secretary of Legation	600	–	4 a day	200	140	100	–
		1st Paid Attaché	250	–	–	–	–	–	–
		2nd ditto	250	–	–	–	–	–	–
3,000	Argentine Republic	Minister Plenipotentiary	3,000	300	–	1,100	750	550	–
		Secretary of Legation	500	–	3 a day	180	130	90	–
		Paid Attaché	250	–	–	–	–	–	–
400	Morocco	Minister Resident	400	–	–	–	–	–	–
		Paid Attaché	250	–	–	–	–	–	–
1,050	Rome	Paid Attaché	500	100	–	–	–	–	55 including 240 *l.* length servi
	Fourth Class.								
2,000	Chili	Chargé d'Affaires and Consul General	2,000	–	–	800	–	–	–
2,000	Guatemala	Ditto ditto	1,400	–	–	–	–	–	600
–	Monte Video	Ditto ditto	1,695	–	–	565	–	–	–
2,000	New Granada	Ditto ditto	1,965	–	–	655	–	–	3
2,000	Peru	Ditto ditto	2,000	–	–	800	–	–	–
2,000	Venezuela	Ditto ditto	1,700	–	–	680	–	–	30
1,400	Equator	Ditto ditto	1,400	–	–	–	–	–	–
		Salaries	136,560	10,350					
		House Rent	10,350						
		TOTAL £.	146,910						

RN of the Number of Despatches, &c., Received at and Sent from the Foreign Office, in each Year, from 1826 to 1869.

Political Department.		Commercial and Consular Department.		Slave Trade Department.		Total.		Grand Total Received and Sent.
Received.	Sent.	Received.	Sent.	Received.	Sent.	Received.	Sent.	
5,635	2,522	2,477	973	474	321	8,586	3,816	12,402
4,135	2,002	2,456	966	427	275	7,018	3,243	10,261
4,908	2,471	2,644	1,167	382	259	7,934	3,897	11,831
4,565	2,033	2,274	874	451	563	7,290	3,470	10,760
4,926	2,426	2,421	929	494	350	7,841	3,705	11,546
5,889	2,510	2,949	1,513	409	307	9,247	4,330	13,577
5,279	3,009	2,988	1,644	299	197	8,566	4,850	13,416
5,529	2,815	2,536	1,689	313	260	8,378	4,764	13,142
5,751	3,487	2,624	1,605	427	395	8,802	5,487	14,289
5,487	2,928	2,954	1,664	595	474	9,036	5,066	14,102
6,904	4,288	3,226	2,055	693	472	10,823	6,815	17,638
6,881	4,503	3,449	1,942	745	403	11,075	6,848	17,923
7,511	5,163	3,213	1,584	848	687	11,572	7,434	19,006
7,892	5,535	3,234	1,796	1,128	1,056	12,254	8,387	20,641
8,426	6,032	3,324	2,001	1,257	946	13,007	8,979	21,986
8,922	5,574	4,484	1,813	1,740	1,514	15,146	8,901	24,047
8,192	4,533	5,461	1,882	1,911	1,781	15,564	8,196	23,760
8,363	4,597	5,309	1,784	1,854	1,910	15,526	8,291	23,817
8,615	5,032	5,279	2,136	1,926	1,558	15,820	8,726	24,546
7,989	4,280	5,353	2,310	2,169	2,029	15,511	8,619	24,130
8,951	5,442	5,112	2,257	1,604	1,619	15,667	9,318	24,985
10,755	7,483	5,215	2,415	1,461	1,537	17,431	11,435	28,866
10,565	7,772	5,323	3,050	1,327	1,323	17,215	12,145	29,360
11,705	7,660	5,800	3,081	1,379	1,100	18,884	11,841	30,725
11,358	8,882	5,638	3,071	1,506	1,175	18,502	13,128	31,630
11,511	8,705	6,186	3,914	1,678	1,320	19,375	13,939	33,314
11,902	7,835	6,292	3,734	1,252	1,028	19,446	12,597	32,043
13,143	9,120	6,565	3,826	1,344	1,115	21,052	14,061	35,113
17,969	15,661	7,436	5,562	1,269	953	26,674	22,176	48,850
18,855	17,246	9,543	9,571	1,166	938	29,564	27,755	57,319
19,719	17,340	10,427	7,606	1,556	1,266	31,702	26,212	57,914
20,268	19,057	9,979	7,513	1,599	1,307	31,846	27,857	59,703
19,732	16,725	10,113	5,748	1,537	1,041	31,382	23,514	54,896
20,115	15,895	9,621	4,426	1,355	1,097	31,091	21,418	52,509
19,316	13,807	10,181	3,673	1,319	1,113	30,816	18,593	49,409
19,690	15,045	10,022	6,882	1,643	1,295	31,355	23,222	54,577
19,872	14,273	9,862	4,665	1,393	1,256	31,127	20,194	51,321
20,800	14,690	9,197	5,115	1,084	865	31,081	20,670	51,751
20,797	13,705	8,117	3,319	1,062	844	30,176	17,868	48,044
18,388	15,118	8,341	3,039	1,148	1,060	27,847	19,217	47,064
19,042	14,615	9,950	5,123	1,066	789	30,058	20,527	50,585
15,554	11,532	10,348	6,149	940	762	26,842	18,443	45,285
15,538	11,906	9,426	6,039	903	706	25,867	18,651	44,518
16,880	13,832	11,496	7,095	1,001	803	29,377	21,730	51,107

eign Office, 31 December 1869.

Appendix, No. 1.

(No. 7.)

SALARIES of Diplomatic Agents in *Europe* and the *United States*.—Heads of Missions.

	England.	France.	Russia.	Austria.	Prussia.	United States.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Austria	8,000 – –	8,000 – –	6,333 – –	– –	3,750 – –	2,464 – –
France	10,000 – –	– – –	8,042 – –	7,900 – –	4,800 – –	3,591 – –
Prussia	7,000 – –	5,600 – –	4,915 – –	3,270 – –	– –	2,464 – –
Russia	7,800 – –	12,000 – –	– – –	4,770 – –	4,800 – –	2,464 – –
Turkey	8,000 – –	5,600 – –	7,916 – –	6,090 – –	3,000 – –	1,540 – –
Bavaria	3,600 – –	2,400 – –	3,008 – –	1,630 – –	1,950 – –	—
Belgium	3,480 – –	3,200 – –	3,166 – –	1,770 – –	1,950 – –	1,540 – –
Netherlands	3,600 – –	2,800 – –	3,015 – –	1,740 – –	2,100 – –	1,540 – –
Denmark	3,600 – –	2,000 – –	3,015 – –	1,740 – –	1,500 – –	1,540 – –
Greece	3,500 – –	2,400 – –	2,410 – –	1,575 – –	1,350 – –	1,540 – –
Italy	5,000 – –	4,400 – –	3,956 – –	2,910 – –	3,750 – –	2,464 – –
Persia	5,000 – –	2,880 – –	1,027 – –	– –	– –	—
Portugal	4,000 – –	2,200 – –	2,410 – –	700 – –	1,500 – –	Vacant.
Spain	5,000 – –	6,000 – –	4,750 – –	2,990 – –	2,700 – –	2,464 – –
Sweden	3,000 – –	2,000 – –	3,015 – –	1,740 – –	1,650 – –	1,540 – –
Switzerland	2,500 – –	3,200 – –	2,410 – –	1,425 – –	1,500 – –	1,540 – –
United States	5,000 – –	3,600 – –	3,015 – –	1,260 – –	2,700 – –	—
Wurtemberg	2,000 – –	1,800 – –	– – –	1,455 – –	1,500 – –	—
Carlsruhe	– – –	2,000 – –	790 – –	500 – –	1,500 – –	—
Coburg	650 – –	– – –	– – –	– –	– –	—
Dresden	750 – –	2,000 – –	2,410 – –	2,295 – –	1,500 – –	—
Darmstadt	500 – –	1,200 – –	790 – –	500 – –	1,200 – –	—
Hanse Towns	– – –	1,800 – –	790 – –	– –	1,500 – –	—
Weimar	– – –	1,200 – –	475 – –	– –	900 – –	—
Oldenburg	– – –	– – –	– – –	– –	1,200 – –	—
Rome	1,050 – –	5,600 – –	– – –	3,690 – –	2,250 – –	—
England	– – –	11,000 – –	7,916 – –	6,010 – –	4,800 – –	3,591 – –
TOTAL £.	93,030 – –	94,880 – –	75,574 – –	55,960 – –	55,250 – –	30,282 – –

SALARIES of Diplomatic Agents in *South America*.

	England.	France.	United States.	Germany.	Italy.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Argentine Republic	3,000 – –	2,800 – –	1,540 – –	– – –	2,360 – –
Brazil	4,000 – –	3,200 – –	2,464 – –	– – –	2,360 – –
Central America	2,000 – –	– – –	7,700 – – For all five Republics.	– – –	—
Chile	2,000 – –	– – –	2,464 – –	2,000 – –	—
Columbia	2,000 – –	– – –	1,540 – –	– – –	—
Ecuador	1,400 – –	– – –	1,540 – –	– – –	—
Monte Video (Uruguay)	—	—	—	—	—
Peru	2,000 – –	2,000 – –	2,464 – –	1,500 – –	—
Venezuela	2,000 – –	– – –	1,540 – –	1,500 – –	—
TOTAL £.	18,400 – –	8,000 – –	21,252 – –	5,000 – –	4,720 – –

SALARIES of Diplomatic Agents in *China* and *Japan*.

	England.	France.	United States.	Germany.	Italy.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
China	6,000 – –	4,800 – –	2,464 – –	3,000 – –	—
Japan	4,000 – –	3,000 – –	1,540 – –	– – –	2,840 – –
TOTAL £.	10,000 – –	7,800 – –	4,004 – –	3,000 – –	2,840 – –

Number of Volumes of Diplomatic Correspondence Bound from 1857 to 1867.

	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	Total.
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
onfederation - - - -	4	5	7	5	5	4	3	3	4	3	3	46
- - - - - - -	27	19	18	15	13	17	11	11	7	12	9	149
Wirtemberg) - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	2	2	3	3	4	3	4	4	4	7	5	42
- - - - - - -	4	4	5	4	4	5	4	4	4	4	5	47
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	3	4	4	4	4	5	5	–	2	4	3	38
erica (*see* Guatemala, &c.) - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	1	1	3	2	2	3	3	1	3	5	4	28
- - - - - - -	17	18	8	12	11	8	8	6	13	8	7	116
(*see* also New Granada) - -	–	–	–	–	–	–	–	–	–	–	–	—
ands - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	1	1	1	1	1	1	1	1	1	1	1	11
- - - - - - -	8	5	4	3	5	4	7	8	3	2	2	51
- - - - - - -	3	4	1	1	1	1	2	1	1	1	1	17
Turkey) - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	1	1	1	1	2	1	1	1	1	1	1	12
- - - - - - -	36	32	27	30	29	30	24	21	25	27	22	303
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	2	3	4	3	4	4	5	4	3	4	–	36
- - - - - - -	5	4	3	4	4	9	12	6	6	7	5	65
- - - - - - -	2	3	6	2	1	2	3	2	1	1	1	24
- - - - - - -	1	1	4	5	7	6	5	7	3	5	–	44
ns - - - - - -	1	1	1	2	3	2	2	2	1	2	2	19
- - - - - - -	1	1	1	1	1	1	1	1	1	1	1	11
- - - - - - -	1	1	1	1	1	1	1	1	1	–	–	9
- - - - - - -	–	–	–	–	9	9	7	6	7	8	9	55
- - - - - - -	–	–	3	3	6	6	7	6	6	10	8	55
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
ar - - - - - -	1	1	1	1	1	1	1	1	1	1	1	11
- - - - - - -	10	7	7	3	4	5	3	1	5	5	–	50
- - - - - - -	2	3	7	5	4	3	2	2	1	2	2	33
- - - - - - -	1	1	1	–	–	–	–	–	–	–	–	3
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
ds - - - - - -	4	4	4	4	4	4	4	4	3	3	3	41
ada (*see* also Columbia) - -	3	2	3	3	3	3	3	3	2	4	4	33
- - - - - - -	1	1	1	1	1	1	1	1	1	1	1	11
nds - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	1	1	1	–	–	–	–	–	–	–	–	3
- - - - - - -	5	6	4	6	4	6	4	5	4	4	4	52
- - - - - - -	4	3	4	4	2	3	4	4	3	3	3	37
- - - - - - -	6	7	7	4	5	4	5	3	4	4	3	52
- - - - - - -	15	8	12	12	13	15	13	13	7	18	11	137
- - - - - - -	1	1	4	4	3	3	2	2	3	2	2	31
- - - - - - -	18	8	7	8	11	16	17	9	7	10	8	119
- - - - - - -	–	–	–	–	–	–	–	–	–	–	–	—
Islands (*see* Pacific Islands) - -	–	–	–	–	–	–	–	–	–	–	–	—
see also Italy) - - - -	4	5	8	7	–	–	–	–	–	–	–	24
- - - - - - -	1	1	3	1	2	2	2	2	3	2	–	19
- - - - - - -	–	3	3	2	2	2	2	2	2	1	1	20
e also Italy) - - - -	–	–	5	10	–	–	–	–	–	–	–	15
lands (*see* Pacific Islands) - -	–	–	–	–	–	–	–	–	–	–	–	—
- - - - - - -	11	9	10	12	11	14	13	6	9	6	5	106
- - - - - - -	2	2	2	4	4	3	5	4	2	3	2	33
nd - - - - - -	5	4	4	4	3	4	3	3	3	4	3	40
- - - - - - -	1	1	1	1	1	–	–	–	–	–	–	5
- - - - - - -	1	1	1	1	1	1	1	3	1	1	1	13
- - - - - - -	42	39	27	32	39	37	30	25	19	25	24	339
(*see* also Italy) - - -	4	3	7	3	–	–	–	–	–	–	–	17
tates - - - - -	9	8	9	9	24	24	33	31	14	10	8	179
- - - - - - -	1	3	3	3	2	4	4	4	4	3	3	34
- - - - - - -	3	5	4	4	4	3	2	2	3	1	1	32
erg and Baden - - - -	2	1	4	3	4	4	3	5	2	4	4	36
												2,703

Appendix, No. 1.

TOTAL VALUE of IMPORTS and EXPORTS into and from the *United Kingdom* and Various States of *South America* in the Year 1868.

	EXPORTS.			IMPORTS.
	Of British Produce.	Of Foreign Produce.	TOTAL.	
	£.	£.	£.	£.
Central America - - - -	160,049	13,562	173,611	939,827
New Granada - - - - -	2,710,271	87,149	2,697,420	1,096,082
Venezuela - - - - - -	69,997	10,452	80,449	30,803
Ecuador - - - - - -	28,840	2,386	31,226	102,101
Peru - - - - - -	1,132,363	52,416	1,184,779	3,400,026
Bolivia - - - - - -	3,425	109	3,534	163,359
Chili - - - - - -	1,962,714	60,338	2,023,052	4,366,598
Brazil - - - - - -	5,351,989	137,571	5,489,560	7,455,803
Uruguay - - - - - -	930,422	24,689	955,111	1,138,255
States of the Argentine Confederation	1,927,428	57,308	1,984,736	1,496,136
TOTAL - - - £.	14,277,498	445,980	14,723,478	20,188,940

TOTAL VALUE of the IMPORTS and EXPORTS of Various States in *South America*, according to the latest available Returns.

	Years.	Imports.	Exports.
		£.	£.
Peru - - - - - - - -	1865	No Returns.	6,245,491
Chili - - - - - - - -	1866	4,171,293	5,817,978
Brazil - - - - - - - -	1866	15,535,795	17,664,354
Argentine Confederation - - - -	1866	7,239,000	5,175,633
States of Columbia* - - - - -	1867	1,104,498	1,098,851

*As stated in Mr. Bunch's Report of 1868. The value of the Exports is, exclusive of precious metals, valued at 600,000 *l.*

Statistical Department, Board of Trade,
February 1870.

Appendix, No. 2.

PAPERS handed in by Mr. *Hammond*, 14 March 1870.

Expenditure for Persian Mission, 1835 to 1869.

Year.	Amount.			Year.	Amount.		
	£.	s.	d.		£.	s.	d.
1835	9,203	3	3	Brought forward	206,730	2	10
1836	16,788	16	1	1852–3	8,934	19	4
1837	11,760	2	4	1853–4	11,498	9	–
1838	17,061	8	5	1854–5	9,282	1	3
1839	10,384	3	2	1855–6	15,019	14	5
1840	10,883	17	3	1856–7	14,354	13	3
1841	14,159	11	11	1857–8	17,776	8	8
1842	13,133	6	11	1858–9	13,870	3	11
1843	8,340	8	6	1859–60	3,191	1	3
1844	10,780	4	9	1860–1	15,202	14	9
1845	12,068	4	–	1861–2	14,343	11	7
				1862–3	13,270	11	7
1 January to 31 March 1846	803	–	1	1863–4	19,200	17	–
1846–7	11,412	7	4	1864–5	15,333	19	10
1847–8	11,384	18	1	1865–6	15,424	4	11
1848–9	15,091	13	6	1866–7	14,312	8	8
1849–50	11,215	1	10	1867–8	15,470	15	2
1850–1	9,405	3	5	1868–9	13,564	1	6
1851–2	12,854	12	–	1869–70 (as at present ascertained)	10,486	15	1
Carried forward	206,730	2	10	£.	447,267	14	–

N.B.—The Indian revenues pay 12,000 *l.* a year for the maintenance of the missions; the balance is provided from Imperial revenues.

Paymaster General's Office,
14 March 1870.

J. P. Collier.

French Diplomatic Service.

The number of first, second, and third secretaries and attachés is fixed by Imperial decree as follows:—

14 secretaries of the first class.
24 „ „ second class.
24 „ „ third class.
36 attachés.

It is important to remember that the three classes of secretaries in the French service do not correspond to the three classes of secretaries in the English service. In the French service many secretaries of the second class, and even of the third, occupy a position corresponding to that held by our secretaries of legation.

There is only one conseiller d'ambassade.

Besides secretaries and attachés, there are 25 chanceliers, making the total number of persons

Appendix, No 2. persons employed in embassies and legations (not counting heads of missions) 124, against 89 in our service, thus:—

French Service.		English Service.	
Conseiller d'ambassade - - - -	1	Secretaries of embassy - - - - -	5
Secrétaires, 1st class - - - -	14	Secretaries of legation (excluding those independently employed) - - -	19
„ 2nd „ - - - -	24		
„ 3rd „ - - - -	24	Second secretaries - - - - -	31
Attachés - - - - - -	36	Third „ - - - - -	15
Chanceliers - - - - - -	25	Attachés - - - - - -	15
	124		85

There is a general instruction to members of the diplomatic service to report upon any matter which may appear to require it, but in practice reports are very rarely made except under special instructions.

Note.—Four secretaries of legation are not attached to any mission, but are employed independently; viz., Mr. Barnard, Mr. Russell, Mr. Burnley, and Mr. Morier.

Two vacancies among the second secretaries will shortly be filled up by the promotion of two third secretaries.

Property and Social Qualifications for Appointments in the Diplomatic Service of certain Foreign Countries.

French Service.—An attaché must have private means to the amount of 240 *l.* a year, at the least.

Austrian Service.—A candidate for admission into the Austrian diplomatic service must be a person fitted by education to move in the higher classes of society, and must have either sufficient means, or else such an allowance from his parents as to enable him to serve several years without pay at foreign missions.

Frankfort.—In Continental countries a decided preference is shown by all Governments for employing in this grade of the profession (attachés) young men of some definite rank or position, and there is no use disguising the fact that the want of these adjuncts acts as a virtual disqualification; and where, as occasionally happens, persons of inferior birth are employed, they meet with mortifications discouraging to young men seeking entrance into the first ranks of foreign society.

Netherlands.—The Minister for Foreign Affairs reserves to himself the right of judging whether the candidate is, by his social position and fortune, well adapted for the service.

Russia.—The diplomatic service is recruited from the classes eligible for the civil service generally, but in cases of diplomatic appointments preference is practically given to those who have private means sufficient to render them to some degree independent of the emoluments attached to their official position.

Italian Service.—A candidate for admission into the diplomatic service must furnish proof of his possessing a yearly income of not less than 320 *l.* a year.

Bavaria.—As the salary paid to diplomatic servants is altogether insufficient to enable them to maintain a proper social position, it is usually sought to supply the deficiency by nominating persons of independent means. This applies equally to the diplomatic appointments of all the minor German States. This branch of the service is most frequently recruited from the ranks of the aristocracy, to whom, with the exception of the army, diplomacy is the only public career left open.

Belgium.—The conditions on which persons are admitted to the diplomatic service are not determined by any regulations. Applications for admission are addressed to the Foreign Minister, who, in deciding upon them, chiefly takes into consideration the social position, character, and conduct of the applicants.

No property qualification is required, but the Department of Foreign Affairs takes care that only persons having the requisite means shall enter the service.

Denmark.—There are no fixed regulations for the admission of candidates into the diplomatic service. They have almost always received an university education, and have generally passed examinations in law and the political sciences. As there is no salary in the lower branches they must have independent means.

Prussia.

Prussia.—Candidates for the Prussian diplomatic service are chosen by the Foreign Minister. Educational tests are required. Nothing is said as to fortune or social position, but an attaché receives no salary for the first year of his service.

Spain.—All classes of society, even the most elevated, have always had the option in Spain of entering public life; as, however, the diplomatic career requires a literary education, and entails certain expenses, it is generally only adopted by persons belonging to the middle class and to the aristocracy. No salary is payable on first appointment.

United States.—No qualifications are necessary to enter the diplomatic service, either as regards fortune, social position, or education.

Portugal.—Candidates for the diplomatic service must possess an income of 177 *l.* a year.

DISTRIBUTION of Members of the Diplomatic Body between those directly or indirectly, and in different degrees, connected with Noble Families, and those who are not so.

(This list is made out as correctly as possible from the Peerage, but there is no record in the Foreign Office of the genealogy of the members of the diplomatic body, and it may not, therefore, be altogether correct.)

Number of each Rank.	Connected with Noble Families.	Not connected with Noble Families.
5 Ambassadors - - - - - - - -	5	–
19 Envoys - - - - - - - -	8	11
7 Chargés d'Affaires and Consuls General - -	3	4
5 Secretaries of Embassy - - - - -	3	2
23 Secretaries of Legation - - - - -	5	18
31 Second Secretaries - - - - - -	11	20
15 Third Secretaries - - - - - -	8	7
15 Attachés - - - - - - - -	7	8
	50	70

PROPORTION between Heads of Embassies and Missions, and Second and Third Secretaries and Attachés, in the Years 1861 and 1870.

IN the year 1861 the number of embassies was four, and the number of missions 25; of the latter, five have since been abolished, and with them five secretaryships of legation; one mission has been converted into an embassy, and the secretary of legation made secretary of embassy.

In the year 1861 the number of paid and unpaid attachés, the former being now represented by second and third secretaries, was 81, which distributed between four embassies and 23 missions (two of the whole number of the missions having none of either class), provided less in the aggregate for each mission and embassy than three each.

In the year 1870 the number of second and third secretaries and attachés in 1861, which distributed between five embassies and 17 missions (two of the latter having none of either class), also provide less than three each.

In fact, the proportion between the junior members of these classes and the heads of missions is, in 1870, somewhat less than it was in 1861.

The block in the profession now existing arises not from its being over-manned, but from the abolition of five missions, and five secretaryships of legation, by which the prospect of promotion for the junior member is diminished by 10.

The number of attachés appointed since the 1st of January was eight; five of them were required to fill up vacancies, and three to make up the number of junior members of the diplomatic service, absolutely required for the work of the several embassies and missions.

Appendix, No. 2.

AVERAGE NUMBER of VACANCIES in the Diplomatic Service for the last Five Years, ending December 1869.

Rank.	Vacancies.	Yearly Average.
Ambassador - - - - - -	Three.	
Ministers - - - - - -	Ten - - -	Two-fifths.
Chargés d'Affaires - - - -	Five - -	One.
Secretaries of Embassy - - -	Six - - -	One and one-fifth.
Secretaries of Legation - - -	Seventeen -	Three and two-fifths.
Second Secretaries- - - - -	Twenty-two -	Four and two-fifths.

Third Secretaries are appointed without reference to vacancies. In accordance with the recommendation of the Diplomatic Committee of 1861, they receive commissions as soon as they have fulfilled the conditions of the diplomatic regulations as to their probationary service, which extends over four years from the date of their nomination as attachés.

NUMBER of VACANCIES leading to Promotion, from the 1st of January 186 .

One chargé d'affaires and consul general.
Two secretaries of legation.
Two second secretaries.

PRINCIPAL POLITICAL EVENTS IN EUROPE, 1839–1869.

1839 -	Belgium.—Separation from Holland - -	Treaty, 19 April 1839.
1840 -	Eastern Question.—Dispute—Porte and Mehemet Ali.	Treaty, 15 July 1840.
1839–1840	United States.—North-east Boundary.	
1841 -	Turkey.—Dardanelles and Bosphorus - -	Treaty, 13 July 1841.
1842 -	United States.—"Caroline."	
1834–1845	France.—Portendic Claims.	
1840–1842	China.—War - - - - - - -	Treaty, 29 August 1842.
1841–1845	Turkey.—Affairs of Syria.	
1842–1846	United States.—North-west Boundary—Oregon.	Treaty, 15 June 1846.
1846 -	Denmark and Prussia, &c.—Schleswig Holstein.	
1842–1846	France.—Spanish Marriages.	
1846–1847	Austria, &c.—Suppression of Cracow.	
1846–1847	Portugal.—Civil War - - - - -	
1844–1848	Switzerland.—Civil War.	
1847–1848	Affairs of Italy.	
1848 -	France.—Revolution—Republic.	
1848 -	Affairs of Germany.	
1847–1848	Mosquito.	
1847–1851	Affairs of Hungary.	
1848 -	Spain.—Expulsion of Sir H. Bulwer.	
1849 -	Italy.—War—Austria.	
1849 -	Rome.—Revolution.	
1850 -	Spain.—Renewal of Relations.	
1850 -	Denmark.—Succession - - - -	Treaty, 2 August 1850.
1850 -	Greece.—British Demands.	
1849–1856	Central America.	
1852 -	France.—Empire.	
1848–1852	Denmark and Prussia, &c.—Schleswig Holstein.	
1850–1854	Russia and Turkey.—Latin and Greek Churches.	
1855–1856	Denmark.—Sound Dues.	
1854–1856	Russian War.—Conferences—Vienna and Paris.	Treaty, 30 March 1856.
1856 -	Naples.—Suspension of Diplomatic Relations.	
1856–1858	China.—War - - - - - - -	Treaty, 26 June 1858.
1858 -	Denmark.—Stade Toll.	
1858 -	Sardinia and Sicily.—"Cagliari."	
1859–1860	China.—War - - - - - - -	Treaty, 24 October 1860.

Appendix, No. 2.

Principal Political Events in Europe, 1839–1869—*continued.*

1859 -	Spain and Morocco.—War.	
1859–1860	France and Italy.—Annexation of Nice.	
1859–1861	Italy and Austria, &c. - - - - -	Treaty, Villa-Franca, 11 July 1859. Treaty, Zurich, 10 November 1859.
1861 -	Turkey.—Affairs of Syria.	
1860–1862	Italy.	
1862–1863	Affairs of Rome.	
1863 -	Brazil.—Suspension of Diplomatic Relations.	
1859–1862	Affairs of Mexico.	
1863 -	Russia.—Polish Insurrection.	
1861–1865	United States.—Civil War.	
1864–1868	Brazil, &c.—War—River Plate.	
1860–1864	Denmark and Germany.—Schleswig Holstein —Conference.	
1863 -	Greece.—Cession of Ionian Islands—Conference.	
1865–1866	Spain and Chili.—War—"Tornado," &c.	
1866 -	Austria and Prussia.—War.	
186 –186	Japan.	
1867 -	Luxembourg Question.—Conferences - -	May 1867.
1866–1867	Servia.	
1867–1868	Mexico.—Withdrawal of Mission.	
1866–1868	Abyssinia.	
1866–1867	Crete.	
1869 -	Turkey and Greece.—Conferences.	

Appendix, No. 2.

LETTER from the Under Secretary, Foreign Office, to the Secretary to the Treasury.

Sir, Foreign Office, 26 January 1870.

Dated 26 January 1870.

I AM directed by the Earl of Clarendon to request that you will acquaint the Lords Commissioners of Her Majesty's Treasury that, from the 30th of November next, no clerk or other person in the Foreign Office will be allowed to act as private agent for any of Her Majesty's diplomatic or consular servants; his Lordship does not think it for the benefit of the public service, or for the interests of the diplomatic or consular servants of the Crown, or of the members of this office who have acted as agents, that a controversy such as has been carried on for some time past as to the merits or demerits of the present system should any longer be continued.

Lord Clarendon has come to this decision with much regret, as injuriously affecting the interests, not only of the agents themselves, but of Her Majesty's diplomatic and consular servants generally, for the result of a reference which was made to the latter, shows that, with very few exceptions, there is no desire, but, on the contrary, a general feeling of regret on their part, that a system should be abolished which had contributed very greatly to their personal convenience, which cost the public nothing to maintain, and which did not lead to the abuse which has been erroneously imputed to it of enabling the agents to exercise influence on appointments or promotions to the advantage or prejudice of members of either service.

But as the system must nevertheless be put an end to, it is necessary to make arrangements to ensure the punctual payment, after it has ceased, of the salaries of Her Majesty's diplomatic and consular servants.

Some of these gentlemen will doubtless obtain their salaries by giving powers of attorney to their bankers or agents unconnected with the office, but in numerous cases probably, especially where the salaries are of small amount, this resource may not be open to others.

It is of course important on every ground that the salaries should be received by the parties entitled to them as soon as possible after they become due, and the only means of providing for this in the case of persons who from any cause may not be able to draw their salaries under power of attorney, appears to Lord Clarendon to consist in allowing such parties to draw on the chief clerk of this office for the amount of salary nominally due to them on each quarter day, leaving for adjustment in the following quarter any excess or deficiency in the amount which they may be entitled to draw, and which can only be adjusted in this office.

If this suggestion meets with the concurrence of the Board of Treasury, Lord Clarendon will endeavour to carry it into effect, though it may be attended with considerable difficulty.

Lord Clarendon directs me at the same time to request you to bring under the consideration of the Lords of the Treasury, another point connected with the abolition of Foreign Office agencies.

Her Majesty's diplomatic and consular servants have heretofore been allowed to send and receive their correspondence under the seal of office. The privilege has been very valuable to them, among other reasons, for the security which the official seal extends to their correspondence. The Foreign Office agents have done what was requisite in this respect on behalf of the persons for whom they acted, but when the agencies are abolished there will be no person in the office to take their place.

Lord Clarendon would very much regret, and consider it a great hardship, if a privilege which they have hitherto enjoyed should be withdrawn from Her Majesty's diplomatic and consular servants, and he therefore submits to the Treasury that an arrangement might be made with their concurrence to relieve them from such a hardship. This Lord Clarendon considers might be done by appointing two persons, for two would be required, not actually clerks in the office, but who would still be under official control, so that abuse would be guarded against, to take charge of the forwarding of the private correspondence of Her Majesty's diplomatic and consular servants, and his Lordship thinks that a satisfactory arrangement might be made which would meet the requirements of the case for a sum not exceeding 300*l.* a year, and he requests the assent of the Treasury to such an arrangement.

Lord Clarendon would have been very glad if, on the abolition of the agencies in this office, he could have undertaken formally to recommend to the Lords of the Treasury to make some reasonable compensation to those clerks in this office who have been engaged in them, and who will henceforth be deprived of very considerable emoluments.

The late Board of Treasury, in reply to Lord Stanley's letter of the 17th February 1868, recommending that liberal compensation should be made to the agents if the system were put an end to, expressed their objection to granting such compensation as a charge on public funds, suggesting at the same time as a preferable course that the system should be gradually abolished.

Lord Clarendon, however, concurs with his predecessor in the opinion that this suggestion would provide a very insufficient and dilatory course for carrying that object into effect; but whatever Lord Clarendon's own feelings are in regard to the claims of the agents

to

to compensation, he is reluctant under the circumstances to press the point on the present Board of Treasury. Nevertheless he feels it due to persons connected with this office, and in whom, as Secretary of State for Foreign Affairs, he takes a warm interest, to express his decided opinion that such compensation is fairly due to them, and cannot be withheld on any ground of justice, or without setting aside the deliberate opinion of the House of Commons and of the Board of Treasury in analogous cases in which compensation has been admitted to be due. Lord Clarendon does not hesitate to lay before the Lords of the Treasury, and to invite their attentive consideration to, a statement which has been addressed to him by the agents, setting forth the precedents on which they rely in support of their claim for compensation, and his Lordship cannot doubt that if this statement were brought to the notice of the House of Commons, which is always just and generous to persons whose offices are to be abolished, that House would admit the identity of the claim of the Foreign Office clerks of 1870 with that of the clerks of the House of Commons in 1835, and show to the former the same measure of liberality which they recognised and insisted upon as justly due to the latter.

I am, &c.

The Secretary to the Treasury. (signed) *E. Hammond.*

MEMORANDUM by the Foreign Office Agents in support of their Claim to Compensation on the threatened Abolition of the existing Agency System. *See* also, "Statement respecting Foreign Office Agencies," presented to Parliament in 1868.

Now that the scheme proposed for the introduction of a new agency system by the retirement of Mr. Staveley from this office, and the acceptance by him of the position of sole unofficial agent for the diplomatic and consular corps, has been found to be impracticable, the Earl of Clarendon will no doubt at once proceed to consider what other substitute can be provided in the interest of the diplomatic and consular corps for the present system, which is about to be abolished.

The agents have no desire whatever that the existing system should be prolonged one single day beyond that which is absolutely necessary for the introduction of the new system, whatever it may be; but they would beg to be allowed to recapitulate to his Lordship the grounds upon which they base their claim to compensation for the very heavy losses which they must otherwise inevitably sustain whenever the old system, whatever substitute may be provided for it, shall be abolished, and they are, from that day forth, prohibited from acting any longer as private agents.

In the first place, they believe that it is without precedent in the history of the proceedings of Parliament or the Treasury to abolish a system which has been recognised by Order in Council and by Parliament, or even permitted by long-established usage, in order to effect changes held to be for the public good, or with a view to the more efficient working of any particular public department, without granting reasonable and just compensation to those who would, or who even might be expected to, suffer in a pecuniary point of view by such changes.

This principle has been so clearly admitted by the House of Commons to be the rule which has *invariably* governed them in their decisions on all cases of this nature, that the agents feel that they need only refer to one or two instances of this kind, and those of recent date, to establish this assertion. Before, however, they proceed to do so, they would wish to call special attention to the fact stated in the Paper which they prepared on the 24th of January 1868, that in addition to long-established usage, the permission for the clerks in the Foreign Office to act as agents to ministers and consuls abroad was distinctly recognised by an Order in Council, dated 27th February 1795, which has never been repealed so far as relates to such permission, and is therefore still in force. Such permission is indeed taken for granted in the Regulations for agents to ministers abroad framed by Lord Castlereagh in 1816, which further sanctioned and countenanced the system.

Laid before Parliament, 5 March 1868.

The cases to which the agents would beg to be allowed to refer as precedents which should govern their case are:—

1. That of the Clerks of the House of Commons who, up to the year 1836, were permitted to act as "private agents" for soliciting and passing Bills through Parliament.

In 1833 a Committee of the House of Commons was appointed to inquire into the "fees, salaries, and emoluments received by officers and public servants of that House, and the fees, charges, and expenses of *passing Bills through Parliament*," and the question of the employment of the officers of the House in private Parliamentary business, or, as they were called in subsequent Reports, "private agents," was fully inquired into by that Committee.

Commons Paper, 1833, vol. 12, pp. 181. 187. 190. No. 648, pp. 9. 12.

In August of that year they made their Report to the House, and in doing so they stated that "if in the course of their Report they had appeared to reflect upon any of the emoluments derived, as it appeared to the Committee, from improper sources, and in improper modes, they desired that it might be considered that they disapproved of the system, and not of the conduct of individuals who had succeeded to offices in which the same line of conduct had been pursued;" and further that, "in taking into consideration the different offices, and the salaries and emoluments attached to them, the Committee felt themselves bound, in justice and fairness to a very laborious and meritorious body of clerks, *and by the rule*

Ibid.

Appendix, No. 2.

recognised in numerous instances by the House, and observed in all public departments, on the abolition or regulation of any office, to pay due regard to *existing interests*," and although they recommend an immediate and general revision and alteration both of the offices and *emoluments* attached to them, they stated that they did so " with the full intention that such *compensation* should be made to the persons who might be thereby affected as might be consistent with the circumstances of each individual case."

Commons, 1835, vol. 18, pp. 397. 399. No. 606.

In 1835 another Committee sat on the same subject, which suggested further changes, and also recommended that no clerk or officer of the House should be permitted to act in future as agent for Private Bills.

In the following year a Select Committee was specially appointed to report on the question of the amount of compensation to be granted to those officers of the House of Commons who would be affected by the carrying out of the changes recommended by the Committees of 1833 and 1835.

Commons, 1836, vol. 21, p. 79. No. 249, p. 1.

Page 79.

Commons, 1836, vol. 21, p. 79.

In May 1836 this Committee delivered in their Report, and with reference to the case of those clerks "having business as agents for soliciting Private Bills," and others who received fees and emoluments in addition to their salary, they passed the following Resolution: " That under the particular circumstances of the case the present holders of office should suffer *no diminution of income* in respect of salaries hitherto received by authority, of *gratuities* paid by Members, and of fees legally collected, but that the *compensation* to be granted on this principle should be paid so long only as those officers, severally, should continue to discharge the duties of their office."

Commons, 1836, vol. 21, p. 90. No. 249, p. 19.

The following statement on the part of the officers and clerks of the House of Commons " engaged in soliciting Private Bills," or in other words, " private agents," which was annexed to this Report, is given hereunder, as showing how nearly, in many particulars, their case resembled that of the Foreign Office agents.

" The clerks of the House have enjoyed the privilege of soliciting Private Bills time immemorial. Mr. Dorington's father practised previous to 1780, and his son has carried on the business since his death, a period altogether of more than 56 years.

" Committees have repeatedly inquired into the offices of the House, but never expressed any opinion adverse to the practice; but the Committee of 1833 determined that it ought to cease with the lives of the then possessors.

" Those who practised then, imagined they might securely calculate on the permanence of their employment; and though they could not pretend to any vested interest, still conceived they might plead a prescriptive right, and, after 1833, a recognised possession.

" The Committee of last Session reported against the custom, on the ground that it might interfere with some of the arrangements they recommended, though the Report distinctly admits that no complaint had been made against the practice.

" The Committee ultimately recommended that compensation should be given for the loss of office to those clerks who thought fit to resign, and it is hoped the Committee will now be pleased to determine the amount of compensation to which they will be entitled, in case they should resign their offices, as at present they cannot ascertain with precision the amount of compensation which would probably be granted them.

" The clerks submit to the Committee, that when, from no blame imputable to them, the public service is conceived to require an important change, it is hardly consistent with any principle of equity that they should be made the sufferers; and the Committee cannot but be aware that, however liberal the compensation may be on this compulsory resignation of office, still the loss sustained must be great, especially to those clerks who might ultimately have expected to be promoted, and arrive at the head of their respective offices.

" The mode of compensation, directed by the Committee of last Session, will compel many of the clerks to quit the service of the House, who would be most happy to remain, if, in lieu of receiving a compensation for loss of office, they could obtain it for their private business.

" The objection to this may appear to be the large amount, but if the compensation is confined to those of the clerks who are actually engaged in transacting the business of the House, it will not amount to a larger sum than that which would be required to make compensation for loss of office, as already proposed by the Committee of 1835."

1836, vol. 21, p. 7. 9. No. 249, p. 1.

The recommendation of the Committee of 1835 was, in consequence of this representation, practically set aside, and the recommendation of the Committee of 1836 adopted; consequently, the private agents were not called upon " to make the choice recommended by the House, either to discontinue their private agencies, or to surrender their public offices;" but they were allowed to retain their official appointments, and at the same time receive *full* compensation for the loss of their private agencies.

2. The next case is that of the agencies formerly held by clerks in the Colonial Office, which were abolished in 1830. The agents do not propose to quote this case as being a precedent precisely similar to their own; still the fact should not be lost sight of, that the two systems only differed in this respect, that, in the case of the Colonial Office, the agencies were official appointments held by certain clerks in that office, together with their clerkships;

clerkships; whereas the Foreign Office agencies are private agencies, carried on by clerks in the Foreign Office, together with their Government appointments, under the permission of an Order in Council; openly and "officially sanctioned by many successive Governments;" and with the full knowledge of Parliament. Appendix, No. 2. To Treasury, 20 March 1854.

But although the agents do not desire to quote this case as an exact precedent, they cannot refrain from drawing attention to the fact that, when those agencies were abolished, the Committee, which sat at the Colonial Office, expressed their opinion that it would be in the "highest degree unjust to withhold most ample compensation from these agents;" and they were, in consequence, most liberally dealt with.

It is also well worthy of remark, that the Committee, which sat at the Treasury in 1836, to inquire into the fees, emoluments, &c., of public offices, in recommending the abolition of the Foreign Office agencies, alluded to the fact that "the practice had already been abolished in some public offices" (referring, no doubt, to the case of the Colonial Office, and perhaps to the House of Commons, as precedents); and submitted that "the interests of individuals, which might be affected by a compliance with their recommendation, should be *duly considered*" (as they had been at the Colonial Office and House of Commons), and "that any arrangements consequent on the abolition of fees should be facilitated by the granting of due *compensation*." Commons, 1837, No. 162, p. 19.

3. The case of the proctors.

In 1857, Acts of Parliament were passed "to Amend the Law relating to Probates and Letters of Administration in England and Ireland"; and, as it was thought that the "fees and emoluments of the persons then practising as proctors *might be damaged* by the abolition of the *exclusive* rights and privileges which they had hitherto enjoyed," the Treasury were authorised to award to each proctor a sum of money, or annual payment, *during the term of his natural life*, equal, on an average of five years, to *one-half* of the net profits he had previously received, and under these Acts large sums are still paid annually by way of compensation. 20 & 21 Vict. c. 77, s. 105; c. 79, s. 112, 25 August 1857.

Other precedents could be quoted by the agents in support of what they firmly believe to be their just claim to a like consideration, but they feel that nothing that they could quote from the records of Parliament could possibly show more clearly and forcibly the liberal views which have *invariably* been entertained by Parliament in every instance in which the force of circumstances has rendered a change necessary for the public good which has materially affected the pecuniary interests of parties, whether public servants or private individuals; and as the system which has existed so long must very shortly be terminated, the agents trust that in devising some new scheme in lieu of the present one, their claim for compensation may be reconsidered, and in the same fair and liberal spirit which has hitherto guided the House of Commons and the Treasury in dealing with such cases. Finance Accounts for 1862, p. 55.

But the Treasury would appear themselves to have admitted, at least by implication, that it would be unjust to abolish such agencies without compensation, for they suggested, in their letter of the 13th of May 1868, when refusing to grant compensation, "whether the preferable course would not be *gradually* to abolish the agencies by prohibiting the appointment of any new agents, and, at the same time, directing that the present agents should not undertake any new duties of this nature;" and so far as the agents are aware (for they have only heard it indirectly, no decision having been communicated to them officially), the only ground upon which the Treasury have hitherto refused to grant compensation, has been that the Commissioners who were appointed in 1786 to inquire into "fees, gratuities, perquisites, and emoluments of public offices," expressed an opinion adverse to the agency system. Laid before Parliament, 1868.

This opinion, however, which was expressed on an imperfect knowledge of the facts of the case, was not concurred in by the three Secretaries of State, who were subsequently appointed to inquire *more fully* into the question, and who, so far from ratifying that opinion, on the contrary pronounced judgment against it, and it was consequently set aside entirely by the Order in Council of 1795, which "approved and *confirmed*" the new regulations drawn up by the three Secretaries of State for the management of their respective offices, which regulations did not disturb the agency system as it then existed, and had existed previously from time immemorial; in the same manner as the recommendation of the Committee of 1835, which sat on the question of fees and emoluments in the House of Commons offices, was not concurred in, but set aside by the Committee of 1836.

Moreover, the Committee appointed by the Treasury to "inquire into the fees, gratuities, perquisites, and emoluments of public offices," in their Report, dated the 18th of February 1837, stated that it was manifest that the *objections which had been urged against the agency system by the Committee of* 1786 *had been obviated* by the salutary regulations then in force, and the agents, therefore, naturally feel that it is stretching a point manifestly to their disadvantage to quote such objections, expressed more than 83 years ago, and to ground thereupon a refusal to grant them compensation; and this, notwithstanding the fact that the Committees of the House of Commons which sat on the Consular Service in 1858, and on the Diplomatic Service in 1861, although they went very fully into the question, failed on either occasion to pronounce an opinion adverse to the agency system; but on the contrary, in the case of the Consular Committee, actually negatived, without a division, a condemnatory clause in the Draft Report which was proposed by a Member of the Committee, but which was not even seconded; and moreover, in total disregard of the weighty opinions expressed by various eminent Statesmen, Secretaries of State, Members of Parliament, Secretaries of the Treasury, and others who have borne testimony to the highly satis- Commons, 1837, No. 162, p. 19.

Appendix, No. 2.

factory manner in which the agents have invariably conducted their responsible business, and discharged their duties, not only to the great advantage of the diplomatic and consular services, but also to the convenience and advantage of the public service, and some of whom have not hesitated to exclaim against the "injustice" which it would be towards the present agents to abolish a system in which they "might justly be considered to have a vested interest derived from long-established usage and official sanction," without granting them, if not full, at least "fair and just" compensation.

To Treasury, 20 March 1854.

To Treasury, 16 May 1868, Memorandum, Lord Stanley, 24 June 1868.

As these opinions would appear to have been overlooked at the Treasury (for the agents feel sure that they have not been intentionally disregarded), they conceive it to be a duty they owe to themselves and to the memory of their predecessors, to reproduce the few following extracts from the "Statement" they submitted to Lord Stanley on the 24th of January 1868, and to which they have already referred.

Mr. Backhouse, late Under Secretary of State, expressed his opinion that "if the abolition of the agencies did not lead to the establishment of a paid agency at the charge of the public, it would at least be attended with expense in satisfying the *just* claims of the present authorised agents to compensation for their loss."

Mr. Addington, late Under Secretary of State, recorded his opinion in the following words :—

"Supposing it were determined to abolish the agency, such as it at present exists, I cannot conceive that there can be two opinions as to the justice of making *full* compensation to those who have hitherto carried it on with the sanction of the Secretaries of State and the Government."

Sir Charles Trevelyan and Sir William Craig, when at the Treasury, declared that "they would not recommend any change unless they were satisfied that the parties interested would receive *just* compensation for any advantage they now enjoyed."

Mr. Hammond, as Under Secretary of State, stated before the Consular Committee of 1858, that "if the practice were abolished to-morrow, he thought, considering the length of time the agents had been allowed to practice as agents, that the Government would be bound to make compensation to them on the abolition of the practice," and that "it would be unfair to deprive them of their vested interests in this sort of work without *adequate* compensation."

To Treasury, 17 February 1868.

Lord Stanley, when Secretary of State for Foreign Affairs, in proposing the eventual abolition of the existing system, declared the agents to be entitled to "liberal compensation;" and Lord Clarendon has never ceased to urge upon the Treasury the justice, in the event of the agencies being "compulsorily abolished on public grounds," of granting most liberal compensation to the present agents.

To Treasury, 20 March 1854.

On the grounds, then, of long-existing usage; of official recognition by successive Governments, by Order in Council, and by Parliament; and of the precedents which the agents have quoted as to the liberal course invariably adopted by Parliament in other cases similar to their own, and which liberal treatment they cannot believe that Parliament would deny to them, they once more earnestly appeal to Lord Clarendon to use his kind and powerful support with Her Majesty's Government to induce them to recognise that which has never until now been denied, but which has hitherto invariably been recognised by statesmen of all parties, namely, their just claim to liberal compensation whenever it shall please Her Majesty's Government to order the present agency system to be finally abolished.

Circular, 18 December 1857. Ibid, 30 June 1868. Ibid, 16 September 1869.

Francis B. Alston.
John Bidwell.
T. G. Staveley.
Edward Hertslet.
J. B. Bergne.

Foreign Office, 1 January 1870.

Appendix, No. 3.

PAPER handed in by Mr. *Hammond*.

RN showing the CHARGES Transferred from the CONSULAR to the DIPLOMATIC GRANT, and from the DIPLOMATIC GRANT to the CONSULAR VOTE since 1851.

From the Consular to the Diplomatic Grant.

Transfer.	Nature of the Charge.	Amount.	
		£.	
- -	Chargé d'Affaires and Consul General, Buenos Ayres -	1,520	Raised to the rank of a Mission in 1856.
- -	Ditto - - ditto - - Monte Video -	1,330	Abolished in 1869.
- -	Ditto - - ditto - - New Granada -	1,600	Now Colombia.
- -	Ditto - - ditto - - Peru - - -	1,635	
- -	Ditto - - ditto - - Chili - -	1,535	
- -	Ditto - - ditto - - Bolivia - -	1,135	Abolished in 1859.
- -	Ditto - - ditto - - Venezuela - -	1,335	
- -	Ditto - - ditto - - Guatemala - -	1,035	
- -	Ditto - - ditto - - Equador - -	1,035	
- -	Envoy Extraordinary and Minister Plenipotentiary, China	6,000	
	Secretary of Legation and Chinese Secretary - - - „	1,200	
	Second Secretary - - - - - - - - „	500	
	Ditto - - - - - - - - - „	400	
- -	Envoy Extraordinary and Minister Plenipotentiary, Japan	4,000	
	Secretary of Legation - - - - - - - „	800	
	Japanese Secretary - - - - - - - „	700	
	Second Secretary - - - - - - - - „	400	
	£.	26,160	

From the Diplomatic to the Consular Vote.

harges have been transferred; but on the abolition of the post of Chargé d'Affaires and Consul General at Monte last year, the rank of Consul was given to the Vice Consul, whose salary was raised from 500 *l.* to 800 *l.*

Appendix, No. 4.

App. No. 4.

PAPERS handed in by Mr. *Hammond*, 21 March 1870.

Personnel of French Embassies and Missions.

Ambassadeurs et Ministres Français Résidant près les Puissances Etrangères 1869.

Autriche.—Résidence, Vienne.

S. Ex. le Duc de Gramont (Ambassadeur).
M. le Mis. de Layeux (Secrétaire de 1e Classe).
M. de Ring (Secrétaire de 2e Classe).
M. le Baron de Bourgoing (Secrétaire de 3e Classe).
M. de Noirmont - - - - -
M. le Comte de Waldner de Freundstein) -
M. de Vaugelas - - - - -
M. le Comte Aymar de la Rochefoucauld -
M. le Marquis George de Polignac - - } Attachés.
M. le Colonel Merlin (Attaché Militaire).
M. Lefaivre Consul Honoraire (Chancelier).

Bade.—Résidence, Carlsruhe.

M. le Comte de Mosbourg (Envoyé Ex. et Min. Plén.).
M. Bernard Dutreil (Secrétaire de 2e Classe).
M. le Comte d'Harcourt (Secrétaire de 3e Classe).
M. le Comte Jean de Tanley
M. le Ray - - - } Attachés.
M. de Pina de St. Didier (Chancelier).

Bavière.—Résidence, Munich.

M. le Marquis de Cadore (Envoyé Extraord. et Min. Plén.).
M. le Sourd (Secrétaire de 1e Classe).
M. le Baron des Michels (Secrétaire de 3e Classe).
M. le Comte d'Aubigny -
M. le Comte de Brigode - } Attachés.
M. Hory (Chancelier).

Belgique.—Résidence, Bruxelles.

M. le Vte. de la Guérronière (Envoyé Extra., &c.).
M. le Vte. Siméon (Secrétaire de 1e Classe).
M. de Bersolle (Secrétaire de 2e Classe).
M. le Cte. Tristan de Montholon (Secrétaire de 3e Classe).
M. le Vte. de Pontcarré -
M. le Bn. de Broves - } Attachés.
M. le Comte d'Ormesson
M. Verneuil, Consul Honoraire (Chancelier).

Brésil.—Résidence, Rio de Janeiro.

M. le Cte. de Gobineau (Envoyé Extra.).
M. Hocmelle (Secrétaire de 2e Classe).
M. Guillaume de Roquette (Secrétaire de 3e Classe).
M. de Montgomery, Attaché.

Chili.—Résidence, Santiago.

M. le Vte. Treilhard (Envoyé Extra., &c. &c.).
M. de Cambefort (Secrétaire de 3e Classe).
M. Roger Martin du Nord (Attaché).

Chine.—Résidence, Pekin.

M. le Cte. de Lallemand (Envoyé Ex. et Min. Plé
M. le Cte. de Rochechouart (Secrétaire de 2e Class
M. Berthelin (Secrétaire de 3e Classe).
M. Fourier de Bacourt (Attaché).
M. Lemaire (1e Interprète).
M. N . . . Consul Honoraire (Interprète Cha lier).

Confédération de l'Allemagne du Nord—Résidence, Berlin.

S. Ex. M. Le Cte. Benedetti (Ambassadeur).
M. Lefebore de Behaine (Secrétaire de 1e Classe).
M. le Baron F. de Wimpffen (Secrétaire de 2e Class
M. le Mis. Frottier de la Coste (Secrétaire d Classe).
M. de Balloy - -
M. Fernand Benedetti - } Attachés.
M. Albert Abeille -
M. Balny - -
M. Bœufvé, Consul Honoraire (Chancelier).

Confédération Argentine—Résidence, Buenos Ayres.

M. Noel (Envoyé Ex. et Min. Plen.).
M. le Vte. Amelot de Chaillou (Secrétaire d Classe).
M. de Kejégu (Attaché).
M. Lavezzari (Chancelier).

Danemark.—Résidence, Copenhague.

M. Dotézac (Envoyé Ex. et Min. Plén.).
M. Millon de la Verteville (Secrétaire de 2e Classe
M. de la Motte (Attaché).
M. Auguiot, Consul Honoraire (Chancelier).

Espagne.—Résidence, Madrid.

S. Ex. M. le Baron Mercier de Lostende (Amba deur).
M. Bartholdi (Secrétaire de 1e Classe).
M. le Cte. de la Tour Maubourg (Secrétaire d Classe).
M. le Cte. le Peletier d'Aunay (Secrétaire d Classe).
M. le Bn. Brin - -
M. le Cte. de Las-Cases - } Attachés.
M. de Monbel - -
M. Victor de Lesseps -
M. le Vicomte, Consul Honoraire (Chancelier).

E

Etats Romains.—Résidence, Rome.

e Mis. de Banneville (Ambassadeur).
Comte Armand (Secrétaire de 1e Classe).
te. de Croy-Chanel (Secrétaire de 2e Classe).
te. d'Espeuilles (Secrétaire de 3e Classe).
te. de Kergorluy - - -
messey - - - -
quillon de Jenlis - -
Cte. Ch. de Banneville -
te. de Laistre - -
oul - - - - -
} Attachés.
horties, Consul Honoraire (Chancelier).

Etats-Unis.—Résidence, Washington.

themy (Envoyé Ex. et Min. Plen.).
Cte. de Moreau-Faverney (Secrétaire de 1e se).
Cte. Paul de Turenne d'Aynac (Secrétaire de lasse).
Vte. de Suarez d'Aulan
ranger - - -
} Attachés.
ijardin, Consul Honoraire (Chancelier).

rande Brétagne et Irlande.—Résidence, Londres.

e Marquis de La Valette (Ambassadeur).
Vte. de Contades (Secrétaire de 1e Classe).
Mis. de Caumont Laforce (Secrétaire de 2e se).
are - - - -
Cte. Charles Walewski
} Secrétaires de 3e Classe.
Cte. de Luart - - -
Vte. de Clermont Tonnerre
} Attachés.
ux (Chancelier).

Grèce.—Résidence, Athènes.

Bn. Baude (Min. Plen.).
lle (Secrétaire de 3e Classe).
Cte. de Pourtalès-Gorgier
ix Fourchon - - -
} Attachés.
eyssonnier (Chancelier).

Hesse, Grand Duché de.—Résidence, Darmstadt.

Cte. d'Astorg (Min. Plen.).
Cte. Gaston de la Rochefoucauld (Secrétaire de Classe).
. . . . . (Attaché).
on (Chancelier).

Italie.—Résidence, Florence.

Baron de Malaret (Envoyé Ex. et Min. Plen.).
Baron de la Villestreux (Secrétaire de 1e Classe).
uriez de Verninac (Secrétaire de 2e Classe).
ydoux (Secrétaire de 3e Classe).
Cte. de Larderel - - -
Vte. du Ponceau - - -
Vte. de la Rochefoucault Bayers
} Attachés.
ufour (Chancelier).

Japon.—Résidence, Yedo.

utrey (Min. Plen.).
e Cte. Eustave de Montebello (Secrétaire de Classe).
Cte. de Béarn (Secrétaire de 3e Classe).
. . . . . (Attaché).
aul Rousset (Elève Interprète).

Maroc.—Résidence, Tanger.

Baron Aymé d'Aquin (Min. Plen.).
Cte. de Lubersac (Attaché).

Mecklenbourg Schwerin.—Strélitz, Oldenburg, Brunswick, Villes libres et Anséatiques de Hambourg, Brême et Lubeck.

M. Rothan (Envoyé Ex. and Min. Plen.).
M. Borély de la Touche (Secrétaire de 2e Classe).
M. N . . . . Consul Honoraire (Chancelier).

Pays Bas.—Résidence, La Haye.

M. Ch. Baudin (Envoyé Ex. et Min. Plen.).
M. le Mis. de Sayve (Secrétaire de 2e Classe).
M. N . . . . . (Secrétaire de 3e Classe).
M. Ternaux-Compans
M. Roger de Flaux -
} Attachés.
M. Desvernois, Consul Honoraire (Chancelier).

Pérou.—Résidence, Lima.

M. le Bn. Gauldrée-Boilleau (Envoyé Ex. et Min. Plen.).
M. N . . . . . (Secrétaire de 2e Classe).
M. de Lapeyrouse (Chancelier).

Perse.—Résidence, Téhéran.

M. de Bonnières de Wierre (Envoyé Ex. et Min. Plen.).
M. Pichon (Secrétaire de 3e Classe).
M. le B. du Charmel (Attaché).
M. Nicolas (1e Drogman).
M. Querry (Drogman-Chancelier).

Portugal.—Résidence, Lisbonne.

M. le Mis. de Montholon (Envoyé Ex. et Min. Plen.).
M. le Bn. de Maynard (Secrétaire de 2e Classe).
M. le Vte. Roger de Borrelli (Secrétaire de 3e Classe).
M. Portalis (Attaché).

Russie.—Résidence, St. Pétersbourg.

S. Ex. M. le Bn. de Talleyrand Périgord (Ambassadeur).
M. le Mis. de Gabriac (Secrétaire de 1e Classe).
M. de Vernouillet (Secrétaire de 2e Classe).
M. le Vte. de Grouchy (Secrétaire de 3e Classe).
M. de Petiteville (Attaché).

Saxe Royale.—Résidence, Dresde.

M. le Mis. de Chateaurenard (Envoyé Ex. et Min. Plen.).
M. le Bn. d'Acher de Montgascon (Secrétaire de 1e Classe).
M. le Vte. du Ponceau -
M. le Comte Ch. Amelot
M. de la Brunetière -
} Attachés.
M. Teutsch (Chancelier).

Saxe.—Grand-Ducale et Duchés de Saxe.

M. le Comte de Rayneval (Min. Plen.).
M. le Comte de Chateau-Briand (Secrétaire de 3e Classe).
M. le Vte. des Nos (Attaché).
M. Henriot (Chancelier).

Suède et Norwége.—Résidence, Stockholm.

M. Fournier (Envoyé Ex. et Min. Plen.).
M. de Bellonnet (Secrétaire de 2e Classe).
M. le Comte Tascher de la Pagerie (Secrétaire de 3e Classe).
M. le Chr. Roger de la Lande (Attaché).
M. Thiébaut (Chancelier).

Suisse.—Résidence, Berne.

M. le Cte. de Comminges Guitaud (Envoyé Ex. et Min. Plen.).
M. le Baron de Reinach (Secrétaire de 1e Classe).
M. le Vte. Molitor (Secrétaire de 2e Classe).
M. le Vte. de Bresson (Secrétaire de 3e Classe).
M. Abeille - - - -
M. de Montesquiou Fezensac -
M. Raphael de Viel Castel -
} Attachés.
M. Kuhlmann (Chancelier).

App. No. 4.

Turquie.—Résidence, Constantinople.

S. Ex. M. Bourée, Ambassadeur.
M. Outrey (Conseiller d'Ambassade).
M. le Cte. de la Londe (Secrétaire de 2e Classe).
M. de la Martre (Secrétaire de 3e Classe).
M. le Vte. Daru } Attachés.
M. Marchand }
M. Belin, Consul Général, Secrétaire Interprète.
M. de Longeville, 1er Second Drogman.
M. Battus 2e Second Drogman.
M. Robert, 1er Troisième Drogman.
M. Rougon, 2e Troisième Drogman.
M. Fleurat, Consul Chargé de la Chancellerie.
M. Barré de Lancy, Secrétaire Archiviste.

Wurtemberg.—Résidence, Stuttgart.

M. le Cte. de St. Vallier, Envoyé Ex., &c.
M. de St. Quentin (Secrétaire de 2e Classe).
M. le Comte de Couronnel (Secrétaire de 3e Classe).
M. le Cte. de Laugier Villars } Attachés.
M. le Vte. Olivier de Virel }
M. Delongraye, Chancelier.

COMPARATIVE STATEMENT of Extraordinary Expenses at Her Majesty's Embassy at *Constantinople*, from 1857 to 1869 inclusive.

	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	18
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
Salaries, Wages, and Allowances	3,851	4,416	4,602	5,420	5,073	5,154	5,344	5,344	5,790	5,708	5,687	6,373	6,
Journeys and Extra Couriers -	–	1,070	1,627	1,363	1,828	473	666	841	405	67	34	26	
Telegrams - - - - -	1,433	2,492	2,234	1,717	1,825	1,462	1,071	514	527	391	396	345	
Stationery and Printing - -	68	128	12	31	83	215	76	84	50	50	50	50	
Postage - - - - - -	497	567	694	773	697	661	570	440	321	349	387	435	
Horse and Boat Hire - -	1,045	1,204	1,500	1,389	1,067	1,056	1,175	1,180	1,046	1,031	937	887	
Gas - - - - - -	–	86	38	76	173	205	185	156	179	227	211	237	
Embassy Gardens - - -	58	104	199	322	239	311	265	264	242	350	361	348	
Newspapers - - - - -	26	28	47	45	42	33	14	56	25	67	47	50	
Water - - - - - -	–	8	14	27	15	32	37	64	35	55	74	64	
Customary Presents and Official Fees - - - - - -	142	196	290	316	240	227	238	135	145	91	178	127	
Liveries for Cavasses and Porters	46	65	–	–	–	100	–	212	141	163	299	168	
Agio, Commission, Loss by Exchange	248	358	633	176	593	416	140	384	496	382	435	532	
Miscellaneous - - - -	833	271	794	265	173	2,169	720	900	601	574	138	252	
Amounts in each Year - - £.	8,247	10,993	12,684	11,920	12,048	12,514	10,501	10,574	10,003	9,505	9,234	9,894	9,

PRÉCIS of COMPARATIVE STATEMENT of Extraordinary Expenses at Her Majesty's Embassy at *Constantinople*, from 1857 to 1869.

	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	18
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£
Salaries and Allowances fixed or authorised by Foreign Office - - - - -	3,851	4,416	4,602	5,420	5,073	5,154	5,344	5,344	5,790	5,708	5,687	6,373	6,
Aggregate of other Expenses -	4,396	6,577	8,082	6,500	6,975	7,360	5,157	5,230	4,213	3,797	3,547	3,521	3,
Total of Account rendered to Foreign Office - - -	8,247	10,993	12,684	11,920	12,048	12,514	10,501	10,574	10,003	9,505	9,234	9,894	9,

YEAR.	Chancery or Office Expenses.						Salaries and Allowances.					
	Postage.	Extra Couriers.	Telegrams.	Journeys on Public Service.	Foreign Newspapers, State Papers, Printing, Bookbinding, Despatch Bags, and Labels.	Chancery Messengers' Wages and Porterage.	Law Charges.	Boats, Boatmen, and Horse-hire.	Chaplains and Chapels.	Interpreters, Clerks, Translators, and Physicians, until 1864–65.	Physicians.	Consular Establishments at Paris and Moscow.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1859–60	4,511 17 4	3,154 14 6	8,283 12 –	4,010 8 7	761 16 4	934 7 6	309 – 11	1,592 3 6	1,535 15 9	6,791 12 9	– –	– – –
1860–61	4,666 18 11	3,167 4 6	5,093 1 7	4,019 11 2	935 – –	947 – 4	516 18 5	1,552 3 4	1,512 5 1	7,008 12 10	– –	– – –
1861–62	4,419 10 3	2,976 19 8	4,622 10 4	5,556 14 4	829 12 7	778 5 2	576 18 –	1,204 7 6	1,582 2 2	7,032 15 5	– –	– – –
1862–63	4,441 19 9	2,674 11 8	4,087 11 –	5,684 19 5	684 5 3	903 15 8	616 7 10	1,307 12 2	1,287 6 5	7,322 18 11	– –	– – –
1863–64	4,417 6 2	2,638 2 6	3,596 3 9	6,130 3 10	863 4 4	927 11 8	609 1 10	1,269 16 11	1,520 8 3	7,311 11 10	– –	– – –
1864–65	4,255 1 8	2,649 8 6	2,570 1 9	5,451 14 6	617 19 6	998 1 4	847 15 6	1,325 – 10	1,645 4 10	6,634 17 –	– –	– – –
1865–66	4,246 13 10	2,644 11 8	1,662 9 3	6,353 18 10	895 8 5	1,120 18 2	691 – 4	1,218 11 6	1,477 14 1	6,465 5 2	300 – –	580 4 6
1866–67	4,039 9 1	2,784 3 8	3,018 10 8	5,864 12 –	828 11 8	1,073 1 3	552 8 –	1,294 17 –	1,531 16 5	6,792 11 4	300 – –	754 6 2
1867–68	4,169 1 10	2,803 9 1	2,197 – –	4,886 14 8	749 10 2	1,169 19 7	660 17 10	1,214 13 8	1,532 9 6	7,050 8 6	300 – –	879 1 3

YEAR.	3. Diplomatic Residence.				4. Miscellaneous.					5.	6. Loss or Gain by Exchange.		7.
	Extra House Rent.	Furniture and Repairs.	Servants' Wages and Board Wages.	Lighting and Warming.	Fetes, Illuminations, and Mourning.	Customary Presents and Official Fees.	Miscellaneous.	Banker's Commission or Brokerage.	Stamps on Treasury Issues.	Gross Total.	Loss to be Added.	Gain to be Deducted.	Net Total.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£ s. d.
1859–60	489 1 8	– –	1,267 11 8	– –	261 5 7	342 15 2	1,946 5 5	1,027 12 5	– 10 11	37,510 7 10	1,116 17 10	75 4 10	38,552 – 10
1860–61	206 9 7	– –	1,608 19 –	– –	38 5 10	496 12 3	2,198 6 1	523 – 1	– 10 9	34,753 6 11	849 4 11	40 6 7	35,562 5 3
1861–62	64 10 –	– –	1,215 11 7	– –	23 – 7	396 3 –	3,215 – 1	998 19 9	– 9 8	35,829 9 4	540 10 –	84 6 11	36,285 12 5
1862–63	25 3 11	283 5 2	1,303 4 7	– –	2,041 14 –	308 – 4	2,094 11 7	717 2 2	– 9 6	36,226 10 11	786 6 10	10 8 10	37,002 8 11
1863–64	111 5 7	601 10 3	1,464 18 1	– –	240 7 5	455 16 8	2,707 14 –	539 18 8	– 9 1	35,824 13 9	596 13 1	15 19 10	36,405 7 –
1864–65	92 1 –	477 12 8	1,422 15 6	– –	297 2 10	405 15 8	1,721 14 8	489 7 4	– 9 6	32,308 6 1	589 11 9	11 17 1	32,886 – 9
1865–66	81 1 1	1 11 3	1,718 11 11	1,246 3 11	174 5 7	262 14 10	2,770 9 1	441 7 1	– 10 –	34,716 16 1	936 12 –	55 1 4	35,598 6 9
1866–67	87 18 –	– –	1,477 8 4	1,210 19 2	132 12 9	230 7 4	2,580 2 5	451 1 5	– 10 3	35,333 16 2	1,050 2 –	25 3 10	36,358 14 4
1867–68	187 6 3	3 2 8	1,401 14 9	1,223 6 –	126 17 1	337 14 7	1,382 14 7	348 1 9	– 7 5	33,027 6 9	6.9 10 8	39 3 9	33,607 13 8

The difference between the totals for the Years 1866–67 and 1867–68 in this table, and those stated for the same Years in Paper No. 2, is accounted for as follows:—

	£.	£.
As regards 1866–67, the total for which is		36,358
Deduct—Consular Establishment at Paris	£. 642	
Extra Couriers	2,785	
Telegrams	3,019	
		6,446
		29,912
Add—Third Secretaries	2,377	
Gain by Exchange	25	
		2,402
	£.	32,314

The Total stated in Paper No. 2.

	£.	
As regards 1867–68, the total for which is		33,607
Deduct—Consular Establishment at Paris		879
		32,728
Add—Gain by Exchange		39
	£.	32,767

The Total stated in Paper No. 2.

Appendix, No. 5.

Appendix, No. 5.

PAPERS handed in by the Earl of *Malmesbury*, 21 March 1870.

MEMORANDUM of Claims to Leave for Two Months Annually, without Deduction of Pay.

HER Majesty's Ministers abroad are allowed no leave of absence without a deduction being made from their salaries. Their position in this respect however is somewhat better than it formerly was.

Previous to the Committee appointed by the House of Commons to inquire into the Diplomatic Service, Ministers lost *half* their salary from the day of leaving their posts to the day of their return. Under the regulations established after the sitting of the Committee, Ministers are now allowed 60 *days'* leave of absence in each year, subject to the deduction from their salaries of the extra allowance granted to the Secretary of Legation who acts as Chargé d'Affaires during the Minister's absence. But after the expiration of the 60 *days* the Minister is placed upon half salary. A Minister is not allowed to *cumulate* his leave of absence. Thus, for instance, if a Minister takes no leave in one year, he is not allowed to take two years' leave in the next, although this is permitted to the junior members of the profession. The prohibition of cumulating leave of absence is a source of very great inconvenience to the occupants of *distant posts*, from whence several days' travelling to reach England are required.

The Committee of the House of Commons stated in their Report that they "regard it as desirable that the great impediments in the way of Ministers returning home for a short period are of *injurious effect*, and that it is well that men in high Diplomatic stations should from time to time be enabled to observe for themselves the condition of affairs and the course of public opinion in their own country."

These impediments have however been but partially removed, and the actual system amounts almost to excluding the heads of missions who have families and small private incomes from taking any leave of absence whatever, *for no diminution can be effected in their establishment* during the short space of 60 days, and they have their travelling expenses besides. These cannot afford to take their leave under such conditions and never see England for years.

Her Majesty's Ministers abroad are the only class of servants under the Crown, *whether civil or military*, who are not allowed a certain period of repose and relaxation without its entailing upon them a pecuniary sacrifice; but it might be supposed that they of all others were the most entitled to it, in consequence of the constant separation from their country, relations, and friends which is imposed upon them by the nature of the profession in which they are employed.

If two months' leave were allowed to each Ambassador and Minister without deduction from their salary, the expense to the country would be as near as possible (supposing each head of mission availed himself of the privilege every year) 5,100 *l.*, but more than double this sum has been saved to the country by the suppression of various missions during the last 10 years. But in my opinion *half* this sum would be a sufficient remuneration for the Secretaries of Legation, whilst *locum tenentes*.

Ambassadors and Ministers should have the faculty of cumulating two years' leave in one, subject of course as they always would be to the orders of the Secretary of State to return to their posts immediately, should he be of opinion that the public service required their presence there. If the two months were exceeded, a deduction of half salary immediately to commence.

The abolition of the present system of taxing Foreign Ministers on leave of absence would encourage the objects recommended by the Committee, and would be a certain compensation to them for their increased outlay, and at the same time be an act of justice which would place them on a *footing of equality with other public servants*.

Malmesbury.

EXTRACT

Appendix, No. 5.

Extract of Report of Committee of the House of Commons on the Diplomatic Service, 1861.

The new Regulation respecting the leave of absence of Secretaries from their posts appears to be satisfactory, and their extension generally throughout the Service would allay much discontent that is expressed at the present difficulty of returning home for short periods. The Chargé d'Affaires, however, although for so short a period he need not make any notable change in his manner of life, is liable to certain charges which it would be unjust not to defray. A *fourth* or *sixth* of the salary might fairly be transferred to the Chargé d'Affaires during the absence of his Chief, and it should be understood that this allowance is made to him to be spent in *representation* or other public objects.

Where the absence is postponed, the proportion enjoyed by the Chargé d'Affaires must be increased, and there seems no reason to alter the present rules in this respect, which results in a saving to the public.

He does not spend a shilling in representation, but lives as before.—*M.*

Whenever a Minister is on leave, your Committee regard it as *desirable* that the *great impediments* in the way of Ministers returning home for a short period *are of injurious effect*, and that it is well that men in high diplomatic stations should from time to time be enabled to observe for themselves the condition of affairs and the course of public opinion in their own country.

The greatest being the fine put upon them for doing so. —*M.*

Charges which would be entailed upon the Public if 60 Days' Leave were granted to Her Majesty's Ambassadors and Ministers Abroad, without deduction of Salary, and the present Allowances were continued to the Secretaries of Embassy and Legation when acting as Chargé d'Affaires.

	£.
1 Embassy at 6 *l.* per diem	360
3 Ditto - 5 *l.* „	900
1 Ditto - 4 *l.* „	240
6 Legations at 4 *l.* „	1,440
10 Ditto - 3 *l.* „	1,800
3 Ditto - 2 *l.* „	360
£.	5,100

Statement showing Allowances received by Her Majesty's Secretaries of Embassy and Legation, while acting as Chargé d'Affaires at the undermentioned Places.

Embassies.	Salary.	Deduction for Chargé d'Affaires.
	£.	
Paris	10,000	6 *l.* per diem.
Vienna, Constantinople, St. Petersburg	8,000	5 *l.* dto .
Berlin	6,000	4 *l.* ditto.
Legations:		
Florence, Madrid, Washington	5,000	4 *l.* ditto.
Lisbon, The Hague, Brazil	4,000	4 *l.* ditto.

Other Missions with salaries under 4,000 *l.*, but irrespective of the sum, 3 *l.* per diem, excepting Athens, Berne, and Stuttgard, at 2 *l.*

Appendix, No. 6.

Appendix, No. 6.

PAPER handed in by Mr. *Hammond*, 28 March 1870.

It was formerly the custom, on the appointment of an Ambassador or Minister, to make him a grant of money to enable him to provide himself with a service of plate, but in order to avoid the frequent recurrence of the expense thus incurred, it was determined, in 1815, by Lord Castlereagh, that no such grant should be in future made, but that at each of the Courts of Paris, Petersburg, Vienna, Madrid, Constantinople, the Netherlands, Berlin, and Lisbon, a suitable service of plate should be provided at the public expense for the use of the resident Ambassador or Minister, to be taken care of at his cost or charge, and to be delivered up to his successor, on the removal of a Minister, according to an inventory deposited in duplicate in the office of His Majesty's Secretary of State for Foreign Affairs in London.

In pursuance of this decision, services of plate, the cost of which was shown in a Return laid before the House of Commons in June 1833, were furnished to the Ambassadors and Ministers at the Courts above mentioned. The plate supplied for the use of the Embassy at the Hague was brought back to this country on the substitution of a Mission for an Embassy and it has since been made use of to complete the service of plate for the Constantinople Embassy, the greater portion of the service originally consigned to that Embassy having been destroyed by the fire at Constantinople in 1831.

Extract from Return to the House of Commons, printed 28 June 1833.

Return of Services of Plate provided at the Public* Expense in the Department of the Lord Chamberlain of His Majesty's Household, which are transferred with the Office on new Appointments; showing the Expense of each Service at each Place.

	£.	s.	d.
For His Majesty's Embassy at the Court of the Netherlands -	6,749	3	1
Ditto - - ditto - - St. Petersburg	6,774	18	6
Ditto - - ditto - - Vienna - -	6,776	19	2
Ditto - - ditto - - Madrid - -	4,743	11	–
Ditto - - ditto - - Paris - -	8,500	15	11
Ditto - - ditto - - Lisbon - -	5,693	6	8

Services of Plate provided at the Public Expense, not included in the above Return from the Lord Chamberlain's Department, which are transferred with the Office on new Appointments, showing the Expense of each Service at each Place.

	£.	s.	d.
For His Majesty's Embassy at Constantinople	4,340	10	–
Ditto - ditto - Berlin - -	4,366	1	6

* From 1820 to 1825.

Appendix, No. 7.

PAPERS handed in by Mr. *Hammond*, 31 March 1870.

CIRCULARS addressed to Her Majesty's Ministers Abroad, 1862–66.

(Continuation of those up to the 30th of May 1861, laid before the Committee of 1861 on the Diplomatic Service, and printed in the Report of that Committee.)

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Appendix, No. 7.

No. 1.

(Circular.)

My Lord,
Sir,

Foreign Office, 12 February 1862.

In order to insure regularity being observed in regard to the periods for which leave of absence is granted to the Diplomatic Servants of the Crown, I have thought it expedient to establish as a rule, that every Diplomatic Officer who has been permitted to absent himself from his duties for an undefined term shall report to the Secretary of State every two months his intentions with regard to his return to his post; and that every Diplomatic Officer who has been granted leave of absence for a fixed period of more than two months shall, on its expiration, report in like manner his intention respecting the resumption of his duties. I have accordingly to instruct you to act yourself in conformity with this rule, and to acquaint the Members of Her Majesty's that I desire them strictly to adhere to the same.

I am, &c.
(signed) *Russell.*

No. 2.

(Circular.)

My Lord,
Sir,

Foreign Office, 15 September 1862.

I transmit to you herewith, copies of certain Regulations which, in pursuance of the recommendations of the Diplomatic Committee, I have framed for Her Majesty's Diplomatic Service.

They apply, as you will perceive, more particularly to the junior Members of the Service; but I have been happy to take advantage of the opportunity to afford a certain amount of relief to the Heads of Missions in regard to the rate of deduction to be hereafter made from their salaries while on leave of absence.

You will communicate these Regulations to the several parties employed in your Mission to whom they apply; and it will be necessary for such of the Attachés, now unpaid, as under the Regulations will either at once, or at no distant day, have completed the period of four years from the date of their entrance into the Diplomatic Service, to establish, at the proper time, to my satisfaction, that they have fulfilled the condition as to actual residence abroad, specified under the 13th head of the Regulations, as requisite to entitle them to receive Commissions as Secretaries of the Third Class.

The allowance to be made under the head of journeys, to the Junior Members of the Diplomatic Service will be chargeable in the extraordinary accounts of the Mission to which they belong at the time that the journeys are completed; but Heads of Missions will not issue such allowances until the account of expenditure has been submitted to, and sanctioned by, the Secretary of State, and direct authority given for its payment.

I am, &c.
(signed) *Russell.*

Enclosure in No. 2.

Regulations for Her Majesty's Diplomatic Service.

(*See* Revised Regulations, page 11.)

1. Nomination, qualification, and examination of candidates for unpaid attachéships.

Candidates for the situation of Attaché in Her Majesty's Diplomatic Service will continue to be nominated by Her Majesty's Secretary of State for Foreign Affairs; and they must be prepared to undergo an examination before the Civil Service Commissioners within six months after their nomination if they elect to undergo only one examination (which single examination will, in that case, exempt them from any further examination previously to their receiving Commissions as Secretaries), or within three months if they prefer to undergo two examinations, as heretofore. In the latter case the second examination may be deferred until the candidate is prepared to undergo it.

Candidates, on presenting themselves for examination on their nomination, must have completed the 21st year of their age, and not have exceeded the 26th.

In the case of candidates electing to undergo only one examination, such examinations will comprise the following matters:—

a. Orthography and handwriting.

b. General intelligence, as evinced by the manner in which the candidate acquits himself, and specifically by the quickness he may show in seizing the points in papers read to him, or read over by him, once or twice.

c. Précis.

d. The candidate must satisfy the examiners that he is thoroughly well grounded in the Latin grammar, and that he is able to construe and parse a portion of some good classical Latin author, and to give the derivation of words.

e. An accurate knowledge of French grammar, fluency in French conversation, correctness of translation from French into English, and from English into French, and French composition.

f. An

f. An accurate knowledge of German grammar, a tolerable degree of fluency in German conversation, and correctness of translation from German into English and from English into German.

g. A fair knowledge of the political history of Europe and of North and South America, from the year 1660 to 1860 inclusive, and of the most important international transactions during that period.

h. A general knowledge of geography.

i. The first four rules of arithmetic and decimal fractions, as given with examples in Colenso's Arithmetic.

j. The first book of Euclid.

k. A general knowledge of maritime and international law, to be acquired from Wheaton's "Elements of International Law," and the first volume of Kent's "Commentary."

l. Cadidates will be allowed, at their option, to be examined in Spanish and Italian, in addition to the above subjects.

In the case of candidates electing to undergo two examinations, the first examination will comprise the following subjects :—

1. Orthography.
2. Handwriting.
3. Précis.
4. Latin.
5. Arithmetic.
6. Geography.
7. General intelligence, except as regards specific tests.
8. An accurate knowledge of French grammar, correctness of translation from French into English, and such a facility of speaking French as may show aptitude for acquiring fluency after a residence abroad.
9. An accurate knowledge of German grammar.
10. A general knowledge of the political history of Europe and of North and South America, from 1790 to 1815, comprising an acquaintance with the most important international transactions of that period.

In either case, candidates who have passed the first public examination in classics at one of the Universities in Great Britain or Ireland will be exempted from being examined in Latin.

Candidates who shall have elected to undergo two examinations must be prepared to satisfy the examiners, if required to do so, as to their acquaintance with the various matters which come within the single examination (except as regards Latin, Geography, and Arithmetic, in which such candidates are exempted from being re-examined); and they will, moreover, be required for their second examination, to draw up a Report on the general commercial and political relations of the several countries in which they may have resided, and on the internal polity and administration, social institutions, and the character of the people of such countries.

If a candidate offering himself for the single examination should fail to satisfy the Commissioners to the required extent, but should evince such a knowledge of the subjects on which he may have been examined as would have obtained for him a certificate of fitness if he had only offered himself for a first examination, the Commissioners will, in such a case, give a certificate as for a first examination; and the candidate will eventually have to present himself again before the Commissioners for the second examination.

2. Period of service of attachés.

The service of Attachés will reckon from the date of the certificate first granted by the Civil Service Commissioners, and will be considered as probationary for four years from that date, during which period the Attachés must have been employed for six months in the Foreign Office, and must also have actually resided at one of Her Majesty's Embassies or Missions abroad, or have been actually employed in the Foreign Office, for a further period of three years. If these conditions, as to employment and residence, have not been fulfilled at the expiration of four years from the date of the certificate of the Civil Service Commissioners, the probationary period will be prolonged until they have been fulfilled; and it will likewise be prolonged in the case of candidates who may have elected to undergo two examinations, until the final certificate of the Commissioners has been obtained.

3. A salary of 150*l.* a year will be granted, contingently, to attachés, on completion of their probation.

A salary, at the rate of 150 *l.* a-year, will be granted to Attachés on the termination of the period of probation, and on the receipt from the Minister under whom they have last served of a certificate showing that their general character and conduct, during the time they have so served, have been satisfactory; and that, as far as such Minister has means of forming an opinion, they understand and speak French well, and also one other foreign language.

4. Abolition of the designation of paid attachés. Commissions as second secretaries to be granted to paid attachés.

The designation of first and second paid Attaché is abolished; and in lieu thereof will be substituted the designation of Second Secretaries, which will be conferred by Commissioners under Her Majesty's sign-manual.

5. Commissions as

Commissions, as Third Secretaries, will also be granted under Her Majesty's sign-manual

third secretaries to be granted to unpaid attachés on completion of their probation.

to persons now serving as unpaid Attachés, or who shall hereafter be appointed unpaid Attachés, on the fulfilment of the conditions, applicable to such persons as specified in the present Regulations.

It is clearly to be understood that the aforesaid commissions of Second and Third Secretaries will not imply appointment to any particular Embassy or Mission; but the holders thereof will be subject to the same conditions and liabilities as to removal from one Mission to another, at the discretion of the Secretary of State, as those to which Attachés of all classes are now liable.

Secretaries of the Second and Third Classes may be indiscriminately attached either to an Embassy or to a Mission; and the circumstance of having been attached in either of the above capacities to an Embassy will not preclude transfers in the same capacity to a Mission. Moreover, there may be more than one secretary of either of the above classes attached, at the pleasure of the Secretary of State, to any Embassy or Mission.

6. Number of second secretaries.

There will be a fixed number of Second Secretaries, determined by the number of First and Second paid Attachés at the date of the issue of these Regulations.

The salaries of Second Secretaries will be fixed at the same rates as those now assigned to First and Second paid Attachés in the respective Embassies and Missions; it being understood that such rates have reference to the character of the Embassy or Mission, and not to the services of the Second Secretaries, who may be removed, without claim to compensation, from an Embassy or Mission where the rates are higher, to an Embassy or Mission where the rates are lower.

7. Rules as to pensions of the fourth class.

In virtue of Her Majesty's Commissions, the service of Second and Third Secretaries will count for their pensions, under the Act of 2 & 3 Will. 4, c. 116, from the date of the issue of their first Commission; but the amount of pension to be assigned to them will be calculated, so long as they are eligible for a pension of the fourth class only, for each year that has elapsed since the date of their first Commission, at one-thirtieth part of the last salary of which they were in receipt, at the time of the pension being granted; provided that no pension shall continue to be issued to a person not incapacitated by ill-health, medically certified, who may decline active service before he has reached the 60th year of his age, after which age no person shall be required to serve as Second or Third Secretary.

8. Provisions for the transfer of the junior members of the diplomatic service from one post to another; and payment of their expenses of removal.

Second or Third Secretaries, and Attachés, as a general rule, will not be employed for more than two years consecutively, irrespective of the periods during which they may have been absent on leave, in the same Embassy or Mission, unless for special public reasons. Secretaries of Embassy or Legation, Second and Third Secretaries, and Attachés, will, on their first appointment, or on any subsequent removal by reason of promotion or otherwise on public grounds, receive such an allowance as shall be sufficient to cover the actual expense of their personal journey by land, or the actual amount paid for their personal passage by sea, either from England to their post, or from one foreign post to another; and in the case of Secretaries of Embassy or Legation, and of Second Secretaries, a similar allowance for one servant, if they have one; but no allowance will be made under the head of subsistence during a journey by land; neither will any allowance be made for the expense of the journey or subsistence of the families of any such Secretaries or Attachés. In the event of a passage being afforded to Secretaries or Attachés on board of one of Her Majesty's ships of war, the allowance made will be in conformity with the Admiralty Regulations.

No allowance will be made to the junior members of the Diplomatic Service for journeys undertaken for their own convenience, in pursuance of leave of absence; but in all such cases the expense of the journeys from and on returning to their posts will be exclusively at their own charge.

It is understood, moreover, that in the case of any journey of which the expense is to be allowed, Secretaries or Attachés, unless specially excused from doing so, will be bound to take charge of Despatches, if required; and, in that case, they will be expected to perform the journey without delaying on the road.

9. Interchange of employment between second and third secretaries and junior clerks in the Foreign Office.

The Secretary of State will, should he see occasion, for the advantage of the public service, allow Second and Third Secretaries, and Attachés, to interchange for a time their duties with Clerks of the three junior classes in the Foreign Office; the several parties being bound, for the whole period through which the interchange extends, in every respect to perform the duties, and to submit to the obligations attaching to the situation which they may temporarily occupy.

The Secretary of State will, moreover, if he sees reason to do so, direct such temporary interchange of duties to be made, irrespective of the wishes of the parties, between Second or Third Secretaries, or Attachés, and Clerks in the Foreign Office; or he will direct such persons to be employed for a time, at home or abroad, without any interchange, making in either case such an allowance to the parties as he may consider just and reasonable. In the event of any Attaché being so employed in the Foreign Office, the period, over and above the six months which are obligatory, as stated in section 2, during which he shall be actually employed in the Foreign Office, shall reckon towards the three years during which he is by these Regulations to reside at an Embassy or Mission abroad.

In the case of temporary interchanges between Secretaries and Clerks, they will respectively rank, during the period for which the interchange shall last, after the junior in the classes of Secretaries or Clerks to which each of them belong, the Clerks receiving an acting appointment as Secretary of such class. The same principle will apply in cases of permanent interchange.

If a Clerk in the Foreign Office should be permanently transferred to the Diplomatic Service,

Service, or should be temporarily employed with a special, or with an ordinary, Embassy or Mission, he will receive a commission or an acting appointment, as the case may be, as Secretary of the Second or Third Class, according to the length of his service in the Foreign Office; but he will, as regards others then in the same class, enter it as the junior.

10. Deductions to be made from salaries of heads of missions on leave of absence.

With a view to relieve heads of Missions on leave of absence on private grounds, the deductions to be made from their salaries will in future be limited, for a period not exceeding 60 days from the date of their departure from their posts, to the sum required to provide for the allowances of the Acting Chargés d'Affaires according to the present Regulations; on the expiration of which period the deduction will be at the rate of one-half of their salaries. Such period of 60 days may either be one of 60 consecutive days, or of 60 days occurring at intervals in the course of one year beginning on the 1st of January.

11. Allowances during war or interruption of relations.

Should an Ambassador, Minister, or Secretary, by reason of war or other interruption of Diplomatic Relations, be withdrawn from active service before his services shall have qualified him for a Diplomatic pension of the class under which he would otherwise come, the Secretary of State will, as he may see fit, assign to any such person a temporary allowance calculated on the rate of pension assigned to the class to which he belongs, regard being had to the length and general character of his services; such allowance being, however, strictly subject to the condition in regard to employment specified in the 7th section of the Act 2 & 3 Will. 4, c. 116.

12. Date at which present regulations, shall take effect.

The foregoing Regulations shall take effect from the 1st day of October 1862; but unpaid Attachés appointed previously to the 1st of January 1861 will be allowed until the 1st July 1863 to undergo their second examination according to the Regulations now in force; and if, on such second examination, they obtain their certificates, they will retain their present precedence, but not otherwise.

All persons nominated as Attachés subsequently to the date of the present Regulations will be subject to the provisions, as to examination, therein contained.

The condition of employment for six months in the Foreign Office will not be enforced with regard to unpaid Attachés in the service abroad at the date of these Regulations; but such unpaid Attachés must have passed both examinations under the existing Regulations, must have actually resided for a period of three years at one or more of Her Majesty's Embassies or Missions abroad, must have completed four years from the time of their entering the service, and must be provided with the certificate from the Head of the Mission under whom they have last served, specified in Clause 3 of these Regulations, before they can receive a Commission as a Secretary of the Third Class, or the salary at the rate of 150 *l.* a-year assigned to that class. Those persons who continue in the service, or who shall hereafter enter the service as unpaid Attachés, will be denominated "Attachés."

(signed) *Russell.*

Foreign Office, 15 September 1862.

No. 3.

(Circular.)

My Lord,

Sir,

Foreign Office, 5 November 1862.

Viscount Palmerston, when Secretary of State for Foreign Affairs in the year 1849, decided that the sum allowed for house rent to Her Majesty's Embassies and Missions should not be considered as a mere addition to the salaries of the Ambassadors or Ministers, but rather as an allowance for providing a suitable residence for the Embassy or Mission, and for the transaction of public business.

Acting on this principle, his Lordship confirmed the rule then existing, that no Ambassador or Minister should be entitled to the allowance for house rent for any period antecedent to his actual arrival at his post on first going out after his appointment, nor for any period subsequent to his departure from his post on his being recalled.

Viscount Palmerston further laid down that no allowance whatever, on account of house rent, should be paid to an Ambassador or Minister for any period during which he might be absent from his post on leave, unless he should show that during such period he continued to pay the rent of his usual house of residence at his post.

Viscount Palmerston, lastly, decided that as the allowance made for house rent had reference not only to the private accommodation of the Ambassador or Minister, but also to the transaction of public business, any Ambassador or Minister who might continue to hold his house during his absence on leave, should, on the application of the person in temporary charge of the Embassy or Mission, either allow such person to occupy a suitable portion of his house for the transaction of the public business, or, in lieu thereof, should pay him one-third of the amount of the house rent allowance, the option of either course being left with the Ambassador or Minister.

There being reason to suppose that the rules thus laid down by Viscount Palmerston are not generally known by Her Majesty's Diplomatic Service, I think it advisable to confirm and promulgate them; and, moreover, in order to remove any uncertainty as to the amount of accommodation which is to be held necessary for the transaction of public business, I further lay down that such accommodation must consist of the Chancery, or office of the Embassy or Mission, of a sitting-room for the use of the person in charge of the Mission, and of a waiting-room for those who may have business to transact with the Embassy or Mission. The charge for warming and lighting the rooms thus appropriated for the transaction of public business is to be borne by the person in charge of the Embassy or Mission, if there

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is no public allowance for expenditure of that sort; if there is, such allowance will be at the disposal of such person for the time being; and any Chancery servants paid by the public are for the time being to be at the disposal of the person in charge of the Embassy or Mission.

As a consequence of the rules laid down by Viscount Palmerston, and now confirmed, every Ambassador or Minister, on quitting his post on leave of absence, must, with a view to enable the Chief Clerk to prepare the quarterly salary list, report to this office whether he continues to pay rent for his house during his absence on leave; and what option he has made in regard to allowing the person in charge of the Embassy or Mission during his absence to occupy the portion of his house necessary for the transaction of public business, or paying to him one-third of the allowance for house rent.

If, on either of the grounds stated in this Despatch, no allowance for house rent is issuable to an Ambassador or Minister, a third portion of the allowance fixed by the regulations will be issued to the person in charge of the Embassy or Mission.

The deduction from the allowance for house rent, in the event of the Ambassador or Minister electing for that alternative, will be made by the Chief Clerk of the Foreign Office in the quarterly salary list, and will not form matter of personal adjustment between the Ambassador or Minister and the person to whom it is payable.

I am, &c.
(signed) *Russell.*

MEMORANDUM on the Claim of ——— to be allowed 300 *l.* a year as House Rent, and also upon the General Question of House Rent Allowance to Ministers while absent from their Posts.

THIS claim of ——— to be allowed 300 *l.* a year as house rent during the time he shall act as Chargé d'Affaires in the absence of the Minister, offers a fitting opportunity for bringing under the consideration of Lord Palmerston the general question, whether a Minister absent on leave from his post, and during such absence not encumbered with the tenancy of a house, is entitled to house rent at all?

By the 11th clause of the Letter to the Treasury, of 25th October 1830, it is said, "that no allowance for house rent shall in future be made for any period *antecedent* to the arrival of an Ambassador, Envoy, or Minister, at his post, or *subsequent* to the cessation of his functions." Nothing can be more clearly expressed than this decision; nevertheless, until the last seven or eight years the allowance for house rent has been considered as beginning and ending with the salary. The salary begins as a general rule "Ten days previously to the actual departure of a Minister for his post, and ends ten days after his return, on the cessation of his Mission;" and as during a Minister's temporary absence from his post *no* abatement is made from his allowance for house rent, as is the case with regard to his salary, it has grown into a rule to allow a Minister absent on leave to draw his full house rent, without inquiring whether he himself pays the rent of a house or not. I conceive that an allowance for house rent is a defraying allowance, and that where no expenditure is incurred no payment should be made; but that the house rent allowance should either become an absolute saving to the public either in whole or in part, or go to the payment of claims similar to that now put forward by ——, and that under no circumstances should a Minister absent on leave from his post, and not paying rent for a house, be allowed to draw any portion of the sum allowed to the Mission for house rent. Of course if the Minister, while absent from his post on leave, continues his tenancy of a residence in the capital of the country to which he is accredited, there can be no question that his house rent should be allowed him; but I submit that in conformity with what is laid down in a letter to the Treasury in 1825, the Minister in such case should allow the Acting Chargé d'Affaires either to occupy his house, or pay to him a sum equal to one-third of the house rent allowance during the period of his absence. Why this rule was set aside in subsequent arrangements does not appear; but I conceive it to be a reasonable one in principle, for the head for the time being of an Embassy or Mission ought to have a residence suitable to his rank, where he can receive persons and transact public business.

It is perfectly true that in some instances the Chargé d'Affaires may be able to show that it is impossible for him to obtain a proper residence at anything like one-third of the Government allowance for house rent; but this forms a special case to be decided on its own merits.

It is, therefore, submitted for Lord Palmerston to decide—

1st. That no allowance whatever shall in future be issued to an Ambassador or Minister on account of house rent, unless he shall be actually a tenant of a house during the period for which he claims the allowance.

2nd. That where an Ambassador or Minister is absent from his post on leave of absence, he shall allow the Acting Minister Plenipotentiary, or the Acting Chargé d'Affaires, to occupy a reasonable portion of his house during his absence; or, if he should not be disposed to do this, then to suffer an abatement from his house rent allowance of a sum equivalent to one-third of the allowance, such sum to be paid over to the Acting Minister or Chargé d'Affaires, as the case might be, it being clearly understood that the choice of the alternative rests entirely with the Ambassador or Minister, and that the *locum tenens* shall have no voice whatever in the matter.

With regard to the claim of ———, I submit that under the peculiar circumstances of his case, he should receive the special allowance at the rate of 300 *l.* a year which he has applied for; and, on the other hand, that the house rent allowance to ———, the absent Minister,

Minister, shall be suspended from the 5th of January last, unless he shall show that he rents a house at ——— during his absence from his post: and I further submit that the principles herein laid down should, from the 5th of January last, apply in every case to which they are applicable, as well as with regard to the arrangement in favour of Acting Ministers Plenipotentiary, and Acting Chargés d'Affaires, as in regard to the suspension altogether of house rent allowance, where no expenditure for house rent is incurred.

Approved,

4 February 1869. (signed) *P.*

Since the foregoing was written, I have accidentally discovered some papers which show that this question of allowing the *locum tenens* of an Ambassador or Minister a certain portion of the allowance for house rent, was brought forward by Mr. Strangways, when Under Secretary of State in 1839. After a good many Memorandums on the subject between Mr. Strangways and Lord Palmerston, his Lordship observed,—

"I am not much disposed to change what I suppose was done after due consideration, but query."

To this Mr. Backhouse replied,—

"The reason why the regulation of 1825, respecting the deduction of one-third of an absent Minister's house rent for the benefit of the Chargé d'Affaires, was rescinded was, that it had been found to give rise to bickerings and discontent between the chiefs and their acting substitutes. And in consideration of the discontinuance of this benefit to the Acting Ministers and Chargé d'Affaires, their daily allowances when acting were left without reduction in the retrenching process of the same year, 1830, in which most of the salaries, both of Ministers and Secretaries, were more or less cut down."

And then his Lordship decided, "Let the matter stand as it does."

If his Lordship should now take the same view of the case, as regards the alternative proposed for the adoption of the Ambassador or Minister, namely the abatement during absence of one-third of the allowance for house rent, or the assignment of such a portion of his house to his *locum tenens* as may be sufficient for public purposes; I still submit that the public should not be charged with any sum for house rent in any case where the Ambassador or Minister does not himself pay for the rent of a house in the capital of the country to which he is accredited.

F. O. (signed) *G. Lennox*, C.

1 February 1849.

I quite concur in these views.

(signed) *H. U. A.*

So do I. I have marked Approved above.

(signed) *P.*

4 February 1849.

No. 4.

(Circular.)

My Lord,

Sir, Foreign Office, 23 December 1862.

My attention having been called to the nature of the expenses for which Her Majesty's Ambassadors, Ministers, and Chargé d'Affaires have been allowed to charge when absent from their ordinary place of residence on public duty, and therefore allowed to continue to draw their full salary, irrespective of any allowance which may be awarded to the person left in charge of the Embassy or Mission as Chargé d'Affaires or Chargé des Archives, I have to state to you, that under such circumstances an Ambassador, Minister, or Chargé d'Affaires will, from the 1st of January next, be only allowed to charge to the public the expenses which he may incur in travelling from place to place, and such other expenses as he may be obliged to incur in the execution of the public service on which he is engaged; but he will not be allowed to charge any other expenses on account of the maintenance of himself and of his establishment while in the receipt of the full salary assigned to his post.

In the event of the public service requiring that an Ambassador, Minister, or Chargé d'Affaires, employed as aforesaid, should be accompanied by one or more of the junior members of the Diplomatic Service, an allowance of 1 *l.* a day for each person so employed with the sanction of the Secretary of State, while not otherwise subsisted at the public expense, may be included in the account to be rendered by the Ambassador, Minister, or Chargé d'Affaires of the expenses which he is allowed to charge.

I am, &c.

(signed) *Russell.*

No. 5.

(Circular.)

My Lord,

Sir, Foreign Office, 23 May 1864.

I wish to direct the attention of Her Majesty's Representatives at foreign courts to the adoption in their respective Chanceries of a practice similar to that to which Secre-

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taries of Embassy and Legation are now required to conform, and to suggest to them the expediency of requiring the junior members of their several Chanceries, as often as opportunity may arise, to draw up reports on matters of public interest, more especially those relating to the commerce and industry of the country in which they reside, upon which it is necessary that heads of Missions should be accurately informed, in order that in their turn they may keep Her Majesty's Government fully acquainted with all matters bearing on the commerce and industry of the country.

The general occupations of heads of Missions may prevent them from devoting to the examination and digestion of materials the amount of time and attention which may be absolutely necessary in order that they may be presented to Her Majesty's Government, and through them to the trading and manufacturing interests of the country, in a clear and practical shape.

But this may be done by the industry and ability of the junior members of Missions, if rightly encouraged and directed; while, on the other hand, those gentlemen will derive great advantage from having their minds exercised and their attention engaged on subjects requiring more thought and consideration than the ordinary routine business of a Chancery.

I have dwelt more particularly on questions of commercial industry, to which the attention of the junior members of the Diplomatic Service may be directed, because they generally involve details which it requires time and industry to reduce into shape; but I by no means desire to exclude matters of general political interest. My object is that every encouragement should be held out to those gentlemen to improve the opportunities which are afforded to them in foreign countries, of acquiring knowledge and habits of observation which may qualify them hereafter for the higher duties to which they aspire.

I am, &c.
(signed) *Russell.*

No. 6.

(Circular.)

My Lord,
Sir,

Foreign Office, 21 June 1864.

It appears from the answers which I have received from certain of Her Majesty's Ministers that the exact purport of my Circular of the 23rd of May has in some instances been misapprehended, and that my intention was supposed to be that the Reports on which I recommended that the junior members of Missions should, as occasion might arise, be employed, were to be sent home in the same manner as those of the Secretaries of Embassy and Legation now are.

This, however, was not my intention. The Reports to which I referred as those on which the junior members of Missions might usefully be employed, were such as are daily drawn up by clerks in the Foreign Office for the special information of the Secretary of State, on any subject in regard to which he requires information, without having his time taken up by reading through masses of papers when urgent affairs require his attention. The compilation of such reports requires great assiduity, and a habit of condensation in writing, so that they afford instruction to the individual who draws them up; while, if well done, they save great trouble to his principal, who in this case will be the head of the Mission.

I am, &c.
(signed) *Russell.*

No. 7.

(Circular.)

My Lord,
Sir,

Foreign Office, 10 September 1864.

On examining the collection of the Reports of Her Majesty's Secretaries of Embassies and Legations, of which copies were forwarded to you in my Circular Despatch of the 2nd instant, it will be seen that while at most places very commendable diligence has been shown in complying with the instructions of the Secretary of State on this matter, at others, I am sorry to say, they have been altogether neglected.

It is not my purpose, however, to say more as regards the past; but as regards the future I wish to point out to heads of Embassies and Missions, that although the duty of compiling these Reports devolves upon the Secretaries, the responsibility of taking care that the Secretaries perform that duty rests with the heads of Missions.

These Reports have of late attracted so much public attention, and excited so much interest, that the credit of the Diplomatic Service in general, no less than that of the Secretaries in particular, is involved in their being ably and punctually drawn up; and I trust that for the future the Secretary of State will have no occasion to call the attention of heads of Embassies and Missions to any such shortcomings on the part of their Secretaries as have rendered it necessary for me to address to them the present Circular Despatch.

I am, &c.
(signed) *Russell.*

No. 8.

(Circular.)

My Lord,
Sir,

Foreign Office, 8 July 1865.

I TRANSMIT to you herewith, for your information, and to be deposited in the archives of your Mission, a memorandum setting forth the construction to be given to the 10th section of the Regulations for Her Majesty's Diplomatic Service, which were inclosed in my Circular Despatch of the 15th of September 1862.

I am, &c.
(signed) *Russell.*

Enclosure in No. 8.

MEMORANDUM respecting the Construction of the Tenth Section of the Regulations for the Diplomatic Service of 15th September 1862.

A QUESTION having been raised as to the construction to be placed on the 10th section of the Regulations for the Diplomatic Service of 15th September 1862, Lord Russell rules as follows:—

That the period for which no deduction other than that which may be required to provide for the allowances of the persons acting as Chargé d'Affaires or in charge of the archives, according to the present Regulations, shall be made from the salaries of heads of Missions absent from their posts on private grounds, shall in no case exceed 60 days in any one year, commencing on the 1st of January and ending on the 31st of December; and that no portion of such 60 days allowed for one year shall be carried over to the next or any subsequent year. For any number of days beyond 60 in any one year during which Ministers may be absent from their posts on private grounds, the deduction from their salaries will be at the rate of one-half.

If, however, Ministers are absent from their posts on private grounds on the 1st of January, they will be allowed, provided they receive leave of absence on or before that day for any part of the ensuing year, to enter on that day upon the 60 days allowed for the year then commencing; and this notwithstanding that in the previous year the 60 days' grace may have expired before the 31st of December, and that they may consequently have, for a period antecedent to the 1st of January, been on half salary.

This construction of the 10th section of the Regulations of 15th September 1862, is to take effect from the 1st of January 1865.

Lord Russell must, however, remind Her Majesty's Ministers abroad that they are not entitled as of right to annual leave of absence from their posts. The granting or withholding any leave of absence, and the length of its duration, must in all cases rest with the Secretary of State, according to his estimation of the requirements of the public service.

A copy of this memorandum is to be sent to each of Her Majesty's Ministers, to be deposited in the archives.

Foreign Office, 7 July 1865. *R.*

No. 9.

(Circular.)

My Lord,
Sir,

Foreign Office, 17 July 1865.

AFTER an experience of nearly three years of the system of examination for Attachés in Her Majesty's Diplomatic Service, established by the Regulations of the 15th of September 1862, and looking at the result of examinations held under them, I have thought it advisable to revise those Regulations; and I now transmit to you, to be deposited in the archives of your Mission, copies of the new Regulations which have been finally adopted after communication with the Civil Service Commissioners, and which take effect from this day.

I am, &c.
(signed) *Russell.*

Enclosure in No. 9.

REGULATIONS for the Examination of Attachés in Her Majesty's Diplomatic Service.

LORD RUSSELL having seen occasion, after an experience of nearly three years, to revise the Regulations for the examination of Attachés in Her Majesty's Diplomatic Services which were issued on the 15th of September 1862, has deemed it advisable to amend those Regulations, and to lay down in lieu thereof the following Regulations, which will take effect from the present date.

Lord Russell considers it proper that the junior members of the Diplomatic Service should prove their competency, in all cases, in two examinations by the Civil Service Commissioners.

In the first examination, which candidates for Attachéships must be prepared to undergo within three months from the date of their nomination, they must satisfy the examiners in regard to the following points:—

1. Orthography.
2. Handwriting.

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3. General intelligence.

4. Précis writing.

5. That they are well grounded in Latin grammar, and are able to construe and parse a portion of some good classical Latin author, and to give the derivation of words.*

6. That they are acquainted with the first four rules of arithmetic and decimal fractions, as given with examples in Colenso's Arithmetic, and with the first book of Euclid.

7. That they have a general knowledge of geography.

8. That they have a general knowledge of French grammar, and can translate correctly from French into English.

9. That they have a general knowledge of German grammar.

10. That they have a general knowledge of the constitutional history of England, to be acquired from Blackstone's "Commentaries" (Ker's Edition, 1862), and Hallam's "Constitutional History of England."

11. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Paris in 1815, to the Treaty of Villafranca, in 1860, comprising an acquaintance with the most important international transactions during that period.

In the second examination, which must be undergone in the interval between the grant of a commission as Third Secretary and that of a commission as Second Secretary, candidates will be exempted from re-examination in the 1st, 2nd, 5th, 6th, 7th, and 10th subjects in which they have passed in their previous examinations; but they must satisfy the examiners in regard to the following points:—

1. General intelligence, as evinced by the manner in which they acquit themselves, and specifically by the quickness they may show in seizing the points in papers read by them, or read over to them, once or twice.

2. Précis writing.

3. That they have a general knowledge of French grammar; that they can converse fluently in that language on ordinary topics; and can translate correctly from English into French, as well as from French into English.

4. That they have a general knowledge of German grammar; and can translate correctly from German into English; or if the candidates, between the first and second examinations, have not resided a reasonable time, twelve months for instance, in Germany, they may, if they desire it, substitute in their second examination, for a general knowledge of German grammar and for correct translation from German into English, the same qualifications in some other foreign language besides French.

5. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Versailles, in 1783, to the Treaty of Villafranca, in 1860, comprising the most important international transactions during that period.

6. That they have a general knowledge of political economy, to be acquired from Adam Smith's "Wealth of Nations," and Mill's "Political Economy."

7. That they have a general knowledge of maritime and international law, to be acquired from Vattel, Wheaton's "Elements of International Law," and the first volume of Kent's "Commentaries."

8. They must satisfy the examiners, by submitting to them a general report on the commerce of the several countries in which they have resided, and on their political relations with other countries, that they are competent to draw up such a report: and they must be prepared to answer any questions put to them by the examiners within the limits of such report.

Candidates for Attachéships, on presenting themselves for examination, must have completed the 21st year of their age and not exceeded the 26th.

Foreign Office, 17 July 1865.

No. 10.

(Circular.)

My Lord,

Sir,

Foreign Office, 19 April 1866.

Considerable inconvenience has arisen from a practice which has grown up, of Heads of Missions recommending for leave of absence the junior members of their Diplomatic Establishments, and on such leave being granted and availed of, forthwith representing to the

* Candidates who have passed the first public examination in Classics at one of the Universities in Great Britain or Ireland will be exempted from being examined in Latin; but candidates claiming this exemption must, on going up for examination, exhibit to the Civil Service Commissioners a certificate from the duly constituted authorities, examiners, or others, as the case may be, in such university that they have passed the first public examination in Classics, in whatever manner that examination may have been conducted, and to whatever point directed.

the Secretary of State that temporary assistance is required to enable the business of the Mission to be carried on in the absence of the person or persons on leave. I accordingly think it necessary to call the attention of Heads of Missions to the passage in the 6th paragraph of Lord Russell's circular of the 10th of February 1860, in which it is laid down that the leave of absence to which the junior members of a Mission are to be considered entitled is "subject, of course, to its being limited, if the public service requires it."

If, therefore, the grant of leave of absence to one of its junior members, of whatever grade, is at any time incompatible with the carrying on of the business of a Mission, much as I should regret that any such gentleman should be obliged to forego the indulgence which he desires, he must, I fear, resign himself to the necessities of the public service.

In the Foreign Office, during the absence on leave of any of the clerks in the respective divisions, those who remain in attendance, of whatever rank, arrange for carrying on the business of the division with a limited staff, so that the public service suffers no delay nor prejudice; although, of course, the absence of their colleagues entails upon them, for the time, additional labour; so likewise in Her Majesty's Missions abroad, in regard to the junior members of which the principle of annual leave granted to the clerks of the Foreign Office was applied, for the first time, under Lord Russell's circular, whenever any junior member of a Mission is absent on leave, those who remain in attendance, of whatever rank, must make arrangements for duly carrying on the public business of the Mission.

As a general rule, regular attendance in the Chancery for five hours a-day should, I conceive, suffice for the daily work of any Mission, though, of course, that time is liable to be prolonged in case of emergency; but assuming five hours as the stated period of daily attendance, any extra work occasioned by the absence of a colleague on leave might easily be met, as in the Foreign Office, by coming to the Chancery earlier, or staying later, in order to dispose of it.

You will communicate the contents of this Despatch to the junior members of your Mission.

I am, &c.
(signed) *Clarendon.*

No. 11.

(Circular.)

My Lord,
Sir,

Foreign Office, 10 August 1866.

I AM directed by Lord Stanley to transmit to you, for the purpose of being deposited in the archives of Her Majesty's Mission at , six copies of the Regulations as revised by the Earl of Clarendon, and dated the 16th of June last, relating to the examination of Attachés in Her Majesty's Diplomatic Service, and certain other matters connected with the service. These Regulations are to be considered as having taken effect on the 16th of June, and as superseding the previous Regulations on the same subject of the 15th of September 1862, and the 17th of July 1865.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 11.

REGULATIONS for Her Majesty's Diplomatic Service—(Revised and confirmed by the Earl of *Clarendon*, 16th June 1866).

1. Nomination, qualification, and examination of candidates for Attachéships.

THE junior members of the Diplomatic Service must pass two examinations before the Civil Service Commissioners; and at the time of presenting themselves for the first they must have completed the 21st year of their age, and have not exceeded the 26th.

In the first examination, which candidates for Attachéships must be prepared to undergo within three months from the date of their nomination, they must satisfy the examiners in regard to the following points:—

1. Orthography.
2. Handwriting.
3. General intelligence.
4. Précis writing.
5. That they are well grounded in Latin grammar, and are able to construe and parse a portion of some good classical Latin author, and to give the derivation of words.*

6. That

* Candidates who have passed the first public examination in Classics at one of the Universities in Great Britain or Ireland, or at the Royal Academy at Woolwich, or one of the public examinations for the Army or Navy, will be exempted from being examined in Latin; but candidates claiming this exemption must, on going up for examination, exhibit to the Civil Service Commissioners a certificate from the duly constituted authorities, examiners, or others under whom they have been examined, that they have passed the first public examination in Classics, in whatever manner that examination may have been conducted, and to whatever point directed.

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6. That they are acquainted with the first four rules of arithmetic and decimal fractions as given in Colenso's Arithmetic, and with the first book of Euclid.

7. That they have a general knowledge of geography.

8. That they have a general knowledge of French grammar, and can translate correctly from French into English.

9. That they have a general knowledge of German grammar.

10. That they have general knowledge of the constitutional history of England, to be acquired from Blackstone's "Commentaries" (Ker's Edition, 1862), and Hallam's "Constitutional History of England."

11. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Paris, in 1815, to the Treaty of Villafranca, in 1860, comprising an acquaintance with the most important international transactions during that period.

In the second examination, which must be undergone in the interval between the grant of a commission as Third Secretary, and that of a commission as Second Secretary, candidates will be exempted from re-examination in the 1st, 2nd, 5th, 6th, 7th, and 10th subjects in which they have passed in their previous examinations; but they must satisfy the examiners in regard to the following points:—

1. General intelligence, as evinced by the manner in which they acquit themselves, and specifically by the quickness they may show in seizing the points in papers read by them, or read over to them, once or twice.

2. Précis writing.

3. That they have a general knowledge of French grammar; that they can converse fluently in that language on ordinary topics; and can translate correctly from English into French, as well as from French into English.

4. That they have a general knowledge of German grammar, and can translate correctly from German into English; or if the candidates, between their first and second examinations, have not resided a reasonable time, twelve months for instance, in Germany, they may, if they desire it, substitute in their second examination, for a general knowledge of German grammar and for correct translation from German into English, the same qualifications in some other foreign language besides French.

5. That they have a general knowledge of the political history of Europe, and of the United States of North America, from the Treaty of Versailles in 1783, to the Treaty of Villafranca in 1860, comprising the most important international transactions during that period.

6. That they have a general knowledge of political economy, to be acquired from Adam Smith's "Wealth of Nations," and Mill's "Political Economy."

7. That they have a general knowledge of maritime and international law, to be acquired from Vattel, Wheaton's "Elements of International Law," and the first volume of Kent's "Commentaries."

8. They must satisfy the examiners, by submitting to them a general report on the commerce of the several countries in which they have resided, and on their political relations with other countries, that they are competent to draw up such a report; and they must be prepared to answer any questions put to them by the examiners within the limits of such report.

2. Period of service of Attachés.

The service of Attachés will reckon from the date of the certificate first granted by the Civil Service Commissioners, and will be considered as probationary for four years from that date, during which period the Attachés must have been employed for six months in the Foreign Office, and must also have actually resided at one of Her Majesty's Embassies or Missions abroad, or have been actually employed in the Foreign Office for such a time as in the aggregate will make up a further period of three years. If these conditions as to second examination, employment, and residence have not been fulfilled at the expiration of four years from the date of the certificate of the Civil Service Commissioners of their having passed the first examination, the probationary period will be prolonged until they have been fulfilled.

3. Commissions as Third Secretaries to be granted to Attachés on completion of their probation.

Commissions as Third Secretaries under Her Majesty's Sign Manual will be granted to Attachés, on the termination of the probationary period, and on the fulfilment of the conditions specified in the present regulations, together with a salary at the rate of 150 *l.* a year, provided that the Minister under whom they have last served certifies that their general character and conduct, during the time they have so served, have been satisfactory; and that, as far as such Minister has the means of forming an opinion, they understand and speak French well, and also one other foreign language.

4. A salary of 150*l.* a year will be granted, contingently, to Attachés on completion of their probation.

Second Secretaries will constitute an intermediate class between Third Secretaries and Secretaries of Legation.

The Secretary of State will assign to each Embassy or Mission such a number of Secretaries of the second and third classes as he may deem fit; it being always understood that Secretaries of these two classes may be named indiscriminately to either an Embassy or Mission, without reference to their previous employment in one or other of them. They are to be designated as Third or Second Secretary in the specific Embassy or Mission in which they

hey may at the time be employed, but not as Third or Second Secretary of Embassy or Legation.

5. Number of Second Secretaries.

The number of Second Secretaries is restricted to the number of First and Second paid Attachés in the service on the 15th of September 1862. Their salaries will be issued according to the scale established for the particular Embassy or Mission in which they may be actually serving, without reference to any previous amount of salary they may have received.

6. Rules as to pensions of the fourth class.

In virtue of Her Majesty's commissions, the service of Second and Third Secretaries will count for their pensions, under the Act of 2 & 3 Will. 4, c. 116, from the date of the issue of their first Commission; but the amount of pension to be assigned to them will be calculated, so long as they are eligible for a pension of the fourth class only, for each year that has elapsed since the date of their first Commission at one-thirtieth part of the last salary of which they were in receipt at the time of the pension being granted; provided that no pension shall continue to be issued to a person not incapacitated by ill health, medically certified, who may decline active service before he has reached the 60th year of his age, after which age no person shall be required to serve as Second or Third Secretary.

7 Provisions for the transfer of the junior members of the Diplomatic Service from one post to another; and payment of their expenses of removal.

Second or Third Secretaries, and Attachés, as a general rule, will not be employed for more than two years, exclusive of the periods during which they may have been absent on leave, in the same Embassy or Mission, unless for special public reasons. Secretaries of Embassy or Legation, Second and Third Secretaries and Attachés, will, on their first appointment, or on any subsequent removal by reason of promotion or otherwise on public grounds, receive such an allowance as shall be sufficient to cover the actual expense of their personal journey by land, or the actual amount paid for their personal passage by sea, either from England to their post, or from one foreign post to another; and in the case of Secretaries of Embassy or Legation, and of Second Secretaries, a similar allowance for one servant, if they have one; but no allowance will be made for the expense of the journey or subsistence of the families of any such Secretaries or Attachés. In the case of a mere change of post, not carrying with it increase of salary, an allowance of one pound a day, as subsistence money during a journey by land, will be given for each day actually employed in travelling by the direct road. In the event of a passage being afforded to Secretaries or Attachés on board of one of Her Majesty's ships of war, the allowance made will be in conformity with the Admiralty Regulations.

No allowance will be made to the junior members of the Diplomatic Service for journeys undertaken for their own convenience, in pursuance of leave of absence; but in all such cases the expense of the journeys from and on returning to their post will be exclusively at their own charge.

It is understood, moreover, that in the case of any journey of which the expense is to be allowed, Secretaries or Attachés, unless specially excused from doing so, will be bound to take charge of despatches, if required; and in that case they will be expected to perform the journey without delaying on the road.

8. Interchange of employment between Second and Third Secretaries and Junior Clerks in the Foreign Office.

The Secretary of State will, should he see occasion, for the advantage of the public service, allow Second and Third Secretaries, and Attachés, to interchange for a time their duties with clerks of the three junior classes in the Foreign Office; the several parties being bound for the whole period through which the interchange extends, in every respect to perform the duties and to submit to the obligations attaching to the situation which they may temporarily occupy.

The Secretary of State will, moreover, if he sees reason to do so, direct such temporary interchange of duties to be made, irrespective of the wishes of the parties, between Second or Third Secretaries, or Attachés, and clerks in the Foreign Office; or he will direct such persons to be employed for a time, at home or abroad, without any interchange, making in either case such an allowance to the parties as he may consider just and reasonable. In the event of any Attaché being so employed in the Foreign Office, the period over and above the six months which are obligatory, as stated in section 2, during which he shall be actually employed in the Foreign Office, shall reckon towards the three years during which he is, by these regulations, to reside at an Embassy or Mission abroad.

In the case of temporary interchanges between Secretaries and Clerks, they will respectively rank, in the Embassy or Mission and Foreign Office, as the case may be, during the period for which the interchange shall last, after the Junior in the class of Secretaries or Clerks to which either of them belongs.

If a Clerk in the Foreign Office should be permanently transferred to the Diplomatic Service, or should be temporarily employed with a special, or with an ordinary Embassy or Mission, he will receive a Commission or an acting appointment, as the case may be, as Secretary of the Second or Third Class.

A First-Class Junior Clerk, who has acquired a standing in the Office, which qualifies him to act as Assistant Clerk, will receive an Acting Commission as Second Secretary; and a Second or Third Class Junior Clerk will receive an Acting Commission as Third Secretary.

9. Deductions to be made from salaries of Heads of Missions on leave of absence.

With a view to relieve Heads of Missions on leave of absence on private grounds, the deduction to be made from their salaries will in future be limited, for a period not exceeding 60 days from the date of their departure from their posts, to the sum required to provide for the allowances of the Acting Chargé d'Affaires according to the present regulations; on the expiration of which period the deduction will be at the rate of one-half of their salaries. Such period of 60 days may either be one of 60 consecutive days, or of 60 days occurring at intervals in the course of one year, beginning on the 1st of January and ending on the 31st of December.

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10. Allowances during war or interruption of relations.

Should an Ambassador, Minister, or Secretary, by reason of war or other interruption of Diplomatic relations, be withdrawn from active service before his services shall have qualified him for a Diplomatic Pension of the class under which he would otherwise come, the Secretary of State will, as he may see fit, assign to any such person who cannot otherwise be immediately employed, and during any period not exceeding the continuance of such war or interruption of Diplomatic relations, a temporary allowance calculated on the rate of pension assigned to the class to which he belongs, regard being had to the length and general character of his services; such allowance being, however, strictly subject to the condition in regard to employment specified in the 7th section of the Act of 2 & 3 Will. 4, c. 116.

Foreign Office, 16 June 1866.

(Circular.) No. 12.

My Lord,
Sir,

Foreign Office, 31 July 1867.

As the clause in the Regulations of 15th September 1862, and in the Revised Regulation of 16th June 1866, under which an allowance towards defraying the expenses of a journey is made to Secretaries of Embassy and Legation, Second and Third Secretaries and Attachés, on their first appointment, or on any subsequent removal by reason of promotion or otherwise on public grounds, has not on all occasions been correctly understood, and a wider signification has been given to the expression, "the actual expense of a personal journey," than it was intended to have, or than the words themselves properly convey; I think it right to inform you, and to instruct you to make known to the several members of your , that those words are not to be understood as comprehending articles forming part of the general establishment of such Secretary or Attaché, but are intended to cover merely the actual expenses of a personal journey, and that accordingly no allowance can hereafter be made for excess of baggage unless such excessive baggage consists *bonâ fide* of wearing apparel, and that the utmost weight to be allowed under this head must not exceed three hundred weight for Secretary and Servant combined.

I am, &c.
(signed) *Stanley.*

(Circular.) No. 13.

My Lord,
Sir,

Foreign Office, 18 December 1867.

My attention since I have held the Seals of the Foreign Office has been turned to the system which has been in operation for a very long period of time under which the Clerks of this Department have been allowed to act as Agents for Her Majesty's Diplomatic and Consular Servants. But the arrangements in progress for carrying out the provisions of the Exchequer Audit Act of 1866, which, as regards the Foreign Office, will come into operation on the 1st April next, and under which the administration of all the funds required for the Service of the Department both at home and abroad, involving the duties of Issue and Audit, heretofore in a great degree discharged by other departments, will devolve on the Foreign Office, have induced me more particularly at the present time to consider how far the continuance of the Agency System is compatible with the altered circumstances arising out of that Act.

I have now arrived at the conclusion that they are incompatible; and, that being the case, it becomes necessary to ascertain by what means Her Majesty's Diplomatic and Consular Servants abroad can be secured in obtaining with punctuality payment of their salaries and allowances as they become due, without the intervention of Agents connected with the Foreign Office, who, with few exceptions, have acted hitherto in their behalf for that purpose.

I have accordingly to instruct you as soon as possible to ascertain and report to me in what manner the Government to which you are accredited, provides for the payment of salaries and allowances due to their Diplomatic and Consular Officers in foreign parts, and whether the payments on this account are made without any charge on the recipients for agency, commission, discount of bills or otherwise; and if not, what may be the estimated amount of such charges; and further, how soon after the expiration of each quarter such salaries and allowances are actually available for expenditure by the persons to whom they are due.

It is my earnest desire that the abolition of Agency in the Foreign Office, which I consider must be made absolute and complete, if made at all, should be effected with as little inconvenience as may be to Her Majesty's Diplomatic and Consular Servants who have hitherto availed themselves of it; and I will give my best consideration to any suggestions that you may offer with that view. And, under any circumstances, sufficient time will be allowed to enable Her Majesty's Diplomatic and Consular Officers to make such arrangements as they may think best to meet the change which I have in my contemplation to effect.

I am, &c.
(signed) *Stanley.*

(Circular.) No. 14.

My Lord,
Sir,

Foreign Office, 28 May 1867.

I HAVE to inform you that the Lords Commissioners of the Admiralty being desirous of extending the arrangement entered into with this Department in 1863, by which Officers of the China, Japan, and Siam Diplomatic and Consular Services taking passage in Her Majesty's ships of war in the Eastern Seas, pay the expense of their entertainment at once when the passage is completed, instead of leaving the claim to be adjusted by the Departments at home, have proposed to me the adoption of this system generally in the case of Her Majesty's Diplomatic and Consular Establishments.

As the arrangement thus proposed by the Admiralty will diminish correspondence between the two Departments, and prevent delays, which frequently occur under the present system, in the settlement of claims for passages taken in Her Majesty's ships. I have given my consent to this arrangement, which must henceforward be observed by all Consular Officers.

I am, &c.

(For Lord Stanley.)

(Circular.) No. 15.

My Lord,
Sir,

Foreign Office, 27 February 1868.

WITH reference to my Circular Despatch of the 28th of May last, in regard to the repayment by members of the Diplomatic and Consular Services of the expenses of their entertainment on board Her Majesty's ships of war immediately on their passages being completed, I now transmit to you, for your own information, and for that of the members of your Mission, copies of a circular which has been addressed by the Board of Admiralty to the commanders of Her Majesty's ships and vessels, containing instructions as to the manner in which the arrangement in question is to be carried into effect.

I am, &c.

(Circular No. 5.)
(MM).

(Entertainment of Persons of the Diplomatic, Consular, and Colonial Services on board Her Majesty's Ships.)

Admiralty, 14 January 1868.

1. CONSIDERABLE inconvenience and delay having been experienced as to the arrangement of the expense incurred in entertaining persons of the above-named services on board Her Majesty's ships, my Lords are pleased to issue the following regulations, which have obtained the concurrence of Her Majesty's Secretaries of State for Foreign Affairs and the Colonies:—

2. When an Ambassador, Consul, Governor of a Colony, &c., shall be ordered a passage on board any of Her Majesty's ships, the captain of such ship is to direct the paymaster to inform such passenger of the rate laid down in the Queen's Regulations for his entertainment, and the Paymaster is to arrange for payment of the amount before the passenger leaves the ship, if possible, or, on his certificate, through the Consulate or Colonial Government on the spot, as the case may be.

3. In case the passenger should not be satisfied with the statement of the paymaster as to the clause of the regulations under which his passage is to be paid for, the matter is to be at once referred to the officer ordering the passage, or to their Lordships, and it will be arranged with the Secretary of State, as at present.

4. A report of the circumstances of each case, and of the amount paid by each passenger, is to be at once forwarded to their Lordships through the Commander in Chief.

5. It is to be understood that these regulations are not to be applied to the cases of Ambassadors, Consuls, &c., of foreign powers, whose passages are to be arranged as heretofore.

By command of their Lordships,

Henry G. Lennox.

To all Commanders in Chief, Captains, Commanders, and Commanding Officers of Her Majesty's Ships and Vessels.

(Circular). No. 16.

My Lord,
Sir,

Foreign Office, 20 April 1868.

I HAVE to acquaint you that, under the provisions of the Exchequer and Audit Departments Act, and the arrangements made for giving effect to them, the charges for Extra Couriers and Telegrams will no longer be included in the account of Extraordinary Disbursements of Her Majesty's Missions, but will form a separate account.

 I enclose

Appendix, No. 7.

I enclose an amended form of the account of Extraordinaries, in which those two items are omitted, and another form of account in which those two items are alone to be included.

I have further to acquaint you that, under the new arrangements, Her Majesty's Ministers are no longer to draw Bills on the Paymaster General on account of Extraordinaries; such bills are to be drawn upon the Chief Clerk, as also bills for expenses of Extra Couriers and Telegrams.

With a view to relieve Her Majesty's Missions still further from the obligation to make advances on public account, I have to acquaint you that, in lieu of the specific sum which you are now authorised to draw at the end of each month on account of Extraordinaries, you will henceforth be at liberty to draw on the Chief Clerk, at the expiration of each month, a Bill for 7-8ths of your Disbursements during the month on that Account, and also a Bill for 7-8ths of your Disbursements on account of Extra Couriers and Telegrams; and you will in each case, on the day you draw your Bill, send a separate letter of advice to the Chief Clerk in the form annexed.

At the end of each quarter you will send home two Accounts, supported as now by vouchers, the one of your Disbursements for Extraordinaries, and the other of your Disbursements for Extra Couriers and Telegrams, debiting yourself in each Account with the bills which you have drawn.

The balances due to you on the two Accounts will be repaid to you by the Chief Clerk when the Accounts have been examined and passed.

I am, &c.
(signed) *Stanley.*

EXTRAORDINARY DISBURSEMENTS.

HER MAJESTY'S at , in account with the Secretary of State for Foreign Affai

For the Quarter ended , 18 .

Dr. *Cr.*

	Currency.	Sterling.		Schedule.	Currency.	Sterl
		£. s. d.				£.
To Proceeds of my Bill upon the Chief Clerk for ⅞ths of my Extraordinary Disbursements during the month of - - - - -			By Salaries, Wages, and Allowances (if any)			
			Journeys on the Public Service „			
			Printing and Stationery - - „			
To Ditto - ditto - for ⅞ths of my Extraordinary Disbursements during the month of - - - -			Postage - - - - - „			
			Fuel and Light - - - „			
To Ditto - ditto - for ⅞ths of my Extraordinary Disbursements during the month of - - - -			Rent - - - - - - „			
			Furniture - - - „			
			Law Charges - - - - „			
To Gain by Exchange - - -			Bankers' Commission - - „			
			Loss by Exchange - - - „			
To Balance - - - - -			Incidental Expenses - - „			
			Pensions - - - - „			
£.						

We, the undersigned, do hereby certify that the current exchange for Bills on the British Governm at three days after sight, when the above Bills were drawn, was as follows:—

Viz., on the 186 to the pound sterling.
On the 186 ditto.
* On the 186 ditto.

(signed) _____

_____

Dated at
day of 186 . } Signature _____

* Being the last day of the quarter.

No. 17.

(Consular.)

My Lord,

Sir,

Foreign Office, 30 June 1868.

I enclose a copy of a Minute dated the 24th instant, and also a copy of some Papers recently laid before Parliament, explaining the circumstances under which I find myself precluded from giving immediate effect to the intention announced in my Circular Despatch of the 18th of December last with regard to Foreign Office Agencies, and recording the arrangements which I have thought it right to make with a view to the gradual instead of the immediate abolition of that system.

In instructing you to communicate the contents of this Minute to the several members of your Mission, I have to remind you, and at the same time to direct you to remind the members of your Mission, that there is no obligation on Her Majesty's Diplomatic Servants to employ as an Agent a Clerk in the Foreign Office for any purpose whatsoever; and that the decision whether, during the period that the system of Foreign Office Agencies may remain in force, Her Majesty's Diplomatic Servants shall continue to avail themselves of the services, as Agents, of those Clerks already acting as such, must rest entirely with them.

I am, &c.
(signed) *Stanley.*

Further Papers respecting Foreign Office Agencies.

Memorandum.

The inability of the Board of Treasury to concur in the views expressed by Lord Stanley in his letter of the 17th of February, in regard to the claim of the Foreign Office Agents to compensation if the system of Agency were abolished, renders it necessary for his Lordship to determine what steps it may be possible now to take with a view to the eventual abolition of that system.

Lord Stanley considers that a system which for more than three-quarters of a century has, after repeated and full inquiry, been sanctioned by successive Secretaries of State, and which was explained in the most complete detail to two Committees of the House of Commons, one of which absolutely refused a proposal for its abolition, while the other did not see occasion to call in question by their report the propriety of its being maintained, and which, moreover, has been recognised by Her Majesty's Diplomatic and Consular Servants, almost without exception, as conducive to their convenience and advantage, must be held to have acquired such a degree of admitted permanency as to entitle those Clerks who have been engaged in carrying it on, to look upon it as a recognised source of emolument, and to expect compensation, if, on public grounds, it should be decided to put an end to it.

Lord Stanley, on the grounds stated in his letter of the 17th of February, was prepared to have made arrangements for the abolition, at the earliest possible period, of Foreign Office Agents on the one hand, and, on the other, for the convenience of Her Majesty's Diplomatic and Consular Servants who might be embarrassed by being deprived of the services rendered to them by the Agents as regards the forwarding of their correspondence; but, as matters now stand, he can only lay down rules for the eventual abolition of the existing system of Agencies when the interests which have grown up under it may be extinguished.

For this purpose Lord Stanley has decided—

First. That no Clerk or other person connected with the Foreign Office, except such as are, at the date of this Minute, acting as Agents, shall hereafter, directly or indirectly, undertake to act as such for any of Her Majesty's Diplomatic or Consular Servants.

Secondly. That, looking to the possibility of some arrangement being hereafter made for abolishing the Agencies on a grant of compensation, the emoluments derived by an Agent for any person who, after the date of this Minute, shall enter the service and appoint an Agent, shall not be taken into account in estimating the amount of compensation to be granted to an Agent on a general abolition of the system.

Lord Stanley directs that a Circular should be sent to Her Majesty's Ministers, informing them, and directing them to inform the members of their respective Missions, that for the reason stated in this Minute, Lord Stanley is precluded from carrying out any part of the arrangements contemplated in this circular of the 18th of December last. Lord Stanley, if the abolition of Agencies had been adopted as a general measure, would have endeavoured, with the concurrence of the Board of Treasury, to provide a substitute for them, so far at least as regards the transmission of the private correspondence of Her Majesty's Diplomatic and Consular Servants under official seal through the Foreign Office; but such a substitute could not be partially applied without serious inconvenience as regards the general arrangements of the office, and could only be adopted as part of a complete measure of abolition. Nevertheless, Lord Stanley thinks it right on this occasion to remind Her

Appendix, No. 7.

Majesty's Diplomatic Servants that there is no obligation on them, if otherwise willing to dispense with such services as are usually rendered to them by their Agents, to employ as an Agent a Clerk in the Foreign Office for any purpose whatever, and specifically not for obtaining payment of their salaries or any other allowances, such, for instance, as Extraordinary Disbursements, which may be due to them. Her Majesty's Diplomatic Servants may entrust to any person whom they may choose to employ, unconnected with the Foreign Office, their powers of attorney under which moneys becoming due to them may be regularly received, on application at stated periods to the Chief Clerk of the Foreign Office, to whom Her Majesty's Diplomatic Servants would only have to send, as now, their life certificates at the expiration of each quarter.

Lord Stanley directs that a copy of this Minute shall be entered in the books of the office, and a copy sent to each of Her Majesty's Missions, to be recorded and preserved in the archives; and Lord Stanley further directs that a Circular founded on it shall be sent to all Her Majesty's Consular Servants, for their information and guidance.

Foreign Office, 24 June 1868. (signed) *Stanley.*

Correspondence respecting the Abolition of Foreign Office Agencies.

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— No. 1. —

Mr. *Addington* to the Secretary to the Treasury.

Sir, Foreign Office, 20 March 1854.

The question of dispensing with the system of private Agency in the Foreign Office to Her Majesty's Diplomatic and Consular Servants abroad has been for some time under the consideration of the Earl of Clarendon. It is not that his Lordship thinks that inconvenience has resulted to the public service from that system, which has so long been openly sanctioned by successive Governments, and has unquestionably been productive of great advantage to the Diplomatic and Consular Functionaries. But as this description of extra-official Agency has been discontinued in other departments of the State, Lord Clarendon is willing to adopt a similar course, provided the abolition of the Foreign Office Agencies can be effected with perfect fairness towards individuals, and without prejudice to the public service.

Before, however, any step is taken in this direction, Lord Clarendon feels it to be necessary that the terms of the compensation to be allowed to the individual holders of Agencies should be clearly and definitively laid down and agreed upon between this Office and the Treasury; for it would obviously be an injustice towards those gentlenem to abolish a system in which they may justly be considered to have a vested interest, derived from long-established usage and official sanction, without having first settled the conditions of such abolition.

I am therefore directed to request that you will state to the Lords Commissioners of Her Majesty's Treasury that Lord Clarendon is of opinion that, if the Agency system in the Foreign Office is to be compulsorily abolished on public grounds, the Agents have an equitable claim to compensation to the full amount of the loss which they will sustain by that measure; such compensation to be ascertained and fixed, either according to the amount of profits actually received during the past year, or according to the amount received on an average of the last three years, and to be enjoyed by them as long as they remain in the Office. But with the view of anticipating any reasonable objection on the part of the Treasury to the amount of compensation which Lord Clarendon is of opinion should be made to the Foreign Office Agents, his Lordship, upon a full consideration of all the circumstances of the case, has determined to propose, for the concurrence of the Lords Commissioners of Her Majesty's Treasury, that there should be granted to the Agents a compensation allowance less by one-fifth than the amount of their actual receipts. Such rate of compensation Lord Clarendon would consider fair and just, and he therefore recommends

recommends it on behalf of the actual holders of Agencies, as a necessary condition of any new arrangement.

The aggregate amount of the receipts of the different Agents in the Foreign Office during the year 1853 was 3,673 *l.* 11 *s.* The average of the years 1851-2-3 does not materially differ from that amount, being 3,633 *l.* 2 *s.* 6 *d.*

Whenever the Lords of the Treasury shall have informed Lord Clarendon that the principle and the conditions of compensation thus placed before them, namely, the allowance of the amount of each Agent's actual receipts, with a deduction of one-fifth, will be admitted, he will endeavour to make such further arrangements as may be necessary for providing a substitute for the system which it is proposed to discontinue.

I am, &c.
(signed) *H. U. Addington.*

Annex.

MEMORANDUM on the Contemplated Abolition of Agencies in the Foreign Office, 9th March 1854.

[*See* "Statement respecting Foreign Office Agencies," presented to Parliament 5th March 1868, page 27.]

—No. 2.—

Mr. *Addington* to the Secretary to the Treasury.

Sir, Foreign Office, 20 March 1854.

WITH reference to my other letter of this date, on the subject of the contemplated abolition of the system of Agency in the Foreign Office, to Her Majesty's Diplomatic and Consular Functionaries abroad, and with a view to prevent any possible misconception as to the amount upon which compensation to the present Agents would have to be provided in the event of such abolition being carried into effect, I am directed by the Earl of Clarendon to transmit to you a copy of a Memorandum which has been presented to him by the Agents, explaining the grounds upon which they claim that the full amount of their actual receipts should form the basis upon which compensation should be calculated. Lord Clarendon desires me to request that in laying this paper before the Lords Commissioners of Her Majesty's Treasury, together with my other letter, you will state to them that his Lordship, having satisfied himself that the statements made by the Agents are correct, entirely concurs in the view of this matter which is taken by them in their Memorandum, and is of opinion that the principal of calculation against which they contend could not with justice be adopted.

I am, &c.
(signed) *H. U. Addington.*

(Enclosure in No. 2.)

MEMORANDUM on the Contemplated Abolition of Foreign Office Agencies.

LORD CLARENDON, with reference to the question of private Foreign Office Agencies desires that "the points respecting the per-centage and the sum *en gros* should be clearly stated."

The Agents presume that Lord Clarendon refers to a scheme of compensation which is known to have been mooted, and which would exclude from the amount, in respect of which compensation may be claimed, any amount of Agency charge in excess of one per cent. on the salary of the client, and also any amount of Agency charged on the expenses of special Missions, on the ground that such charges are inconsistent with the Regulations of 1816.

Upon this scheme of compensation the Agents beg leave to observe that the assumption that, according to the Regulations of 1816, the charge for Agency was to be confined to one per cent. on all salaries and pensions, is not only unsupported by the words of those regulations, but is directly at variance with the uninterrupted practice both before and since that time.

The clause of the Regulations of 1816 which bears upon this question is as follows :—

"6. The Agent not to be allowed to deduct more than one per cent. upon the salaries and outfit of the Ambassadors and Envoys for the service rendered to them, and to charge no per-centage upon the extra disbursements."

It will be seen that the limitation of charge for Agency to one per cent. is expressly confined to "Ambassadors and Envoys," and in no way applies to Secretaries of Embassy

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and Legation, or to Consuls. Indeed, the effect of the 6th clause of the Regulations of 1816 was, not to alter the amount of Agency to be charged upon the salaries even of Ambassadors and Envoys (for, in point of fact, it made no alteration in that respect, one per cent. being the amount charged both before and since), but to draw a distinction between the salary and the extra disbursements of Ambassadors and Envoys. The Agency which had always been levied on the salary was by that Regulation approved and sanctioned, while the Agency which had before been charged upon extra disbursements was declared to be thenceforward inadmissible. The question of Agency on salaries, other than those of Ambassadors and Envoys, was altogether untouched by the Regulations of 1816; and with regard to the amount of Agency on such salaries, the Agents continued after 1816, the same practice which, as can be proved by the books of Agents of the time was in force previously, and must have been well known to the framers of the Regulations of 1816, namely, charging a fixed annual sum, and not a per-centage. It cannot be supposed that if it had been intended by those Regulations to make so vital a change in the then existing practice with regard to the charge for Agency on salaries other than those of Ambassadors and Envoys as the fixing a maximum of one per cent., that intention would not have been clearly and unequivocally expressed, like the change in the existing practice with regard to charging Agency on extra disbursements; but on the contrary, as has been shown, the clause of the Regulations says not a syllable on the subject, and the Agents, some of whom were in the office at the time the Regulations were established, had never heard of such an interpretation being put upon them, until it was mooted not long ago. The change made by the Regulations in the practice, before 1816, of charging Agency on extra disbursements, has ever since been rigidly adhered to; and it cannot with any justice be contended that the Agents have violated those Regulations by simply adhering to their previous practice in regard to a point which not only is untouched by the Regulations, but seems to have been designedly excluded from their operation.

The Agents think, therefore, that they have clearly shown that there is no valid ground for the assumption which has been put forward on this point.

Neither is there, in the Regulations of 1816, any foundation for a further assumption which has been advanced, that the expenses of Special Missions should be classed with extra disbursements.

The expenses of Special Missions are not specifically mentioned in the Regulations; and as the charge of one per cent. on the amount of such expenses has been sanctioned and allowed by successive Secretaries of State in every instance, without exception, both before and since 1816, the Agents would not have thought it possible that any question could now have beed raised as to the charge been duly authorised. The Agency to a Special Mission involves more labour and trouble than the Agency to an ordinary Mission; the expenditure is in its nature analogous to salaries and not to extra disbursements; and the Agents are at a loss to conceive on what ground objection is now for the first time taken to a charge reasonable in itself, and constantly sanctioned by the competent authority.

For these reasons it is submitted that the only basis which can with justice to the Agents be taken for their compensation, is the actual amount of emolument of which they will be compulsorily deprived by a new arrangement adopted with a view to the public service.

Foreign Office, 9 March 1854.

— No. 3. —

Mr. *Hammond* to the Secretary to the Treasury.

Sir, Foreign Office, 10 August 1855.

I AM directed by the Earl of Clarendon to request that you will move the Lord Commissioners of Her Majesty's Treasury to have the goodness to inform him of the course which they are prepared to take on the recommendation submitted to them in the letters from this office of the 20th March 1854, as to the amount of compensation to be made to the Clerks in the Foreign Office acting as Agents to Her Majesty's Diplomatic and Consular Servants abroad in the event of their being required, by the abolition of Foreign Office Agencies, to cease to act in that capacity.

Lord Clarendon will be prepared, when the question of compensation is settled, to make arrangements for the abolition of Agencies, though he will require the concurrence of the Board of Treasury for such portion of those arrangements as regards the forwarding the correspondence of Her Majesty's Missions and Consulates; and it will of course be necessary to fix the date at which the abolition is to take effect, so as to afford sufficient time to Her Majesty's Diplomatic and Consular Servants to make their own arrangements for receiving their salaries without the intervention of Agents in the Foreign Office.

I am, &c.
(signed) *E. Hammond.*

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— No. 4.—

Lord *Stanley* to the Lords Commissioners of the Treasury.

My Lords, Foreign Office, 17 February 1868.

I HAVE the honour to request your Lordships' attention to the letters which were addressed to the Treasury by direction of the Earl of Clarendon, on the 20th of March 1854, and on the 10th of August 1855, and of which, for convenience of reference, I now enclose copies,* explaining his Lordship's views on the subject of the private Agencies, on account of Her Majesty's Diplomatic and Consular Servants, which the Clerks in the Foreign Office, in conformity with a practice of very long standing, were allowed to hold, and stating his readiness to abolish the system if adequate compensation were made to the Clerks at that time holding such Agencies in consideration of the losses which they would thereby incur.

The Board of Treasury, as far as I can ascertain, came to no decision at the time on the subject, and the practice has been allowed to continue as before.

The Committee of the House of Commons, which in the years 1858 and 1861 inquired into the Consular and Diplomatic Services, went very fully into the question of these Agencies, but pronounced no opinion upon their reports. However, a reference to the proceedings of the former Committee, in page xxxiv, will show your Lordships that a proposition condemnatory of them was moved by one of the Members of the Committee, and negatived without a division.

My attention, since I have held the seals of the Foreign Office, has nevertheless been turned to this matter, in connection with the arrangements for carrying out the provisions of the Exchequer Audit Act of 1866, under which the administration of all the funds required for the service of the Foreign Office, both at home and abroad, involving the duties of the issue and audit heretofore in a great degree discharged by other departments, will devolve on this department; and I have come to the conclusion that, all things considered, a question may arise whether the continuance of the Agency system would be compatible with the altered circumstances arising out of the application of the Act to the Foreign Office.

I need not, I am sure, tell your Lordships that I am not influenced in this opinon by any considerations incompatible with the fullest confidence in the personal honour and uprightness of the Clerks of this office who may, directly or indirectly, now or hereafter, be called upon to discharge any duties connected with the Act; but your Lordships will doubtless agree with me that it is important to forestall cavil and criticism, however misplaced, in regard to public servants, whether employed in the Foreign Office or any other department of the Government.

It is on these grounds, therefore, that I bring before your Lordships at the present time, the Earl of Clarendon's letters of 1854 and 1855, and I earnestly request your Lordships to enable me to effect the proposed abolition of the Agency system, by consenting to grant to those Clerks who now hold Agencies liberal compensation, to which I consider they are fully entitled, for the loss to which they will be subjected.

It is right that I should place before your Lordships a statement which the Agents have drawn up in support of their claims; and I add a schedule showing the amount of the emoluments they have derived from their Agencies in the last three years.

The abolition of the present system will, as intended by Lord Clarendon, involve the necessity of making some arrangements for enabling Her Majesty's Diplomatic and Consular Servants to obtain payment of their salaries and allowances which have heretofore been received on their account by their Agents in this office.

I have consulted, as you will see by the enclosed copy of a Circular Despatch, Her Majesty's Ministers at the Courts of Europe and in the United States, as to the practice observed on this point in the respective countries, and I will hereafter communicate further with your Lordships on the subject; while I shall also have to ask your consent to some arrangement, involving, I hope, but a very small expenditure, which must be made for forwarding the correspondence of Her Majesty's Diplomatic and Consular Servants.

I have, &c.
(signed) *Stanley.*

(Enclosure 1, in No. 4.)

STATEMENT respecting Foreign Office Agencies.

[Parliamentary Paper, presented 5 March 1868.]

(Enclosure 2, in No. 4.)

RETURN of Emoluments received by Foreign Office Agents, during the years 1863–67.

[*See* Parliamentary Paper presented 5 March 1868, entitled "Names of the Persons for whom the Clerks now act as Agents, or have so acted at any time during the last five years; and of the Aggregate Emoluments of the Agents."]

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* Nos. 1, 2, 3.

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(Enclosure 3, in No. 4.)

CIRCULAR addressed to Her Majesty's Ministers.

Foreign Office, 18 December 1867.

MY attention, since I have held the seals of the Foreign Office, has been turned to the system which has been in operation for a very long period of time, under which the Clerks of this Department have been allowed to act as Agents for Her Majesty's Diplomatic and Consular Servants. But the arrangements in progress for carrying out the provisions of the Exchequer Audit Act of 1866 (which, as regards the Foreign Office, will come into operation on the 1st April next, and under which the administration of all the funds required for the service of the Department both at home and abroad, involving the duties of issue and audit, heretofore in a great degree discharged by other Departments, will devolve on the Foreign Office) have induced me more particularly at the present time to consider how far the continuance of the Agency System is compatible with the altered circumstances arising out of that Act.

I have now arrived at the conclusion that they are incompatible; and, that being the case, it becomes necessary to ascertain by what means Her Majesty's Diplomatic and Consular Servants abroad can be secured in obtaining, with punctuality, payment of their salaries and allowances as they become due, without the intervention of Agents connected with the Foreign Office, who, with few exceptions, have acted hitherto in their behalf for that purpose.

I have accordingly to instruct you as soon as possible to ascertain and report to me in what manner the Government to which you are accredited, provides for the payment of salaries and allowances due to their Diplomatic and Consular Officers in foreign parts, and whether the payments on this account are made without any charge on the recipients for agency, commission, discount of bills, or otherwise; and if not, what may be the estimated amount of such charges; and further, how soon after the expiration of each quarter such salaries and allowances are actually available for expenditure by the persons to whom they are due.

It is my earnest desire that the abolition of Agency in the Foreign Office, which I consider must be made absolute and complete, if made at all, should be effected with as little inconvenience as may be to Her Majesty's Diplomatic and Consular Servants, who have hitherto availed themselves of it; and I will give my best consideration to any suggestions that you may offer with that view. And under any circumstances sufficient time will be allowed to enable Her Majesty's Diplomatic and Consular Officers to make such arrangements as they may think best to meet the change which I have in my contemplation to effect.

I am, &c.
(signed) *Stanley.*

— No. 5. —

The Secretary to the Treasury to Mr. *Hammond.*

Sir, Treasury Chambers, 13 May 1868.

THE Lords Commissioners of Her Majesty's Treasury have had before them Lord Stanley's letter of the 17th of February, submitting for the consideration of this Board a proposal for the abolition of the Agencies held by certain Clerks in his Lordship's department, and for the grant of compensation in respect of such abolition.

I am to request that you will inform Lord Stanley that after full consideration of the subject, my Lords regret that they cannot concur with his Lordship in recognising the claims of the Foreign Office Agents; and they are not prepared to admit that compensation for the abolition of their Agencies could with justice be made a charge upon public funds.

My Lords would, however, suggest whether the preferable course would not be gradually to abolish the Agencies by prohibiting the appointment of any new Agents, and at the same time directing that the present Agents should not undertake any new duties of this nature.

I am, &c.
(signed) *G. Sclater-Booth.*

— No. 6. —

Mr. *Hammond* to the Secretary to the Treasury.

Sir. Foreign Office, 16 May 1868.

I HAVE laid before Lord Stanley your letter of the 13th instant, stating that after full consideration of the subject the Lords Commissioners of Her Majesty's Treasury regret that they cannot concur with his Lordship in recognising the claims of the Foreign Office Agents,

Agents, and are not prepared to admit that compensation for the abolition of these Agencies could, with justice, be made a charge upon public funds.

Lord Stanley desires me to say that he has received this decision with much regret. His Lordship continues to be of opinion that if the Agencies were abolished, compensation would be due to the parties who in pursuance of a system recognised for many years, and sanctioned, with the knowledge of the Board of Treasury, by successive Secretaries of State, have been allowed to carry on the business of Agents to Her Majesty's Diplomatic and Consular Servants.

The suggestions contained in the latter part of your letter for the gradual abolition of Agencies, would, Lord Stanley apprehends, provide a very insufficient and dilatory course for carrying that object into effect.

I am, &c.
(signed) *E. Hammond.*

MEMORANDUM.

THE inability of the Board of Treasury to concur in the views expressed by Lord Stanley in his letter of the 17th of February, in regard to the claim of the Foreign Office Agents to compensation if the system of Agency were abolished, renders it necessary for his Lordship to determine what steps it may be possible now to take with a view to the eventual abolition of that system.

Lord Stanley considers that a system which for more than three-quarters of a century has after repeated and full inquiry, been sanctioned by successive Secretaries of State, and which was explained in the most complete detail to two Committees of the House of Commons, one of which absolutely refused a proposal for its abolition, while the other did not see occasion to call in question by their report, the propriety of its being maintained, and which, moveover, has been recognised by Her Majesty's Diplomatic and Consular Servants, almost without exception, as conducive to their convenience and advantage, must be held to have acquired such a degree of admitted permanency as entitle those Clerks who have been engaged in carrying it on, to look upon it as a recognised source of emolument, and to expect compensation if, on public grounds, it should be decided to put an end to it.

Lord Stanley, on the grounds stated in his letter of the 17th of February, was prepared to have made arrangements for the abolition, at the earliest possible period, of Foreign Office Agents on the one hand, and, on the other, for the convenience of Her Majesty's Diplomatic and Consular Servants who might be embarrassed by being deprived of the services rendered to them by the Agents as regards the forwarding of their correspondence; but as matters now stand he can only lay down rules for the eventual abolition of the existing system of Agencies when the interests which have grown up under it may be extinguished.

For this purpose Lord Stanley has decided,—

First. That no Clerk or other person connected with the Foreign Office, except such as are, at the date of this Minute, acting as Agents, shall hereafter, directly or indirectly, undertake to act as such for any of Her Majesty's Diplomatic or Consular Servants.

Secondly. That, looking to the possibility of some arrangement being hereafter made for abolishing the Agencies on a grant of compensation, the emoluments derived by an Agent from any person who, after the date of this Minute, shall enter the service and appoint an Agent, shall not be taken into account in estimating the amount of compensation to be granted to an Agent on a general abolition of the system.

Lord Stanley directs that a Circular should be sent to Her Majesty's Ministers, informing them, and directing them to inform the members of their respective Missions, that for the reason stated in this Minute, Lord Stanley is precluded from carrying out any part of the arrangements contemplated in his Circular of the 18th of December last. Lord Stanley, if the abolition of Agencies had been adopted as a general measure, would have endeavoured, with the concurrence of the Board of Treasury, to provide a substitute for them, so far at least as regards the transmission of the private correspondence of Her Majesty's Diplomatic and Consular Servants under official seal through the Foreign Office; but such a substitute could not be partially applied without serious inconvenience as regards the general arrangements of the office, and could only be adopted as part of a complete measure of abolition. Nevertheless, Lord Stanley thinks it right on this occasion to remind Her Majesty's Diplomatic Servants that there is no obligation on them, if otherwise willing to dispense with such services as are usually rendered to them by their Agents, to employ as an Agent a Clerk in the Foreign Office, for any purpose whatever, and specifically not for obtaining payment of their salaries or any other allowances, such, for instance, as Extraordinary Disbursements, which may be due to them. Her Majesty's Diplomatic Servants may entrust to any person whom they may choose to employ, unconnected with the Foreign Office, their powers of attorney under which moneys becoming due to them may be regularly received, on application at stated periods to the Chief Clerk of the Foreign Office, to whom Her Majesty's Diplomatic Servants would only have to send, as now, their life certificates at the expiration of each quarter.

Lord Stanley directs that a copy of this Minute shall be entered in the books of the office,

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and a copy sent to each of Her Majesty's Missions, to be recorded and preserved in the Archives; and Lord Stanley further directs that a Circular founded on it shall be sent to all Her Majesty's Consular Servants, for their information and guidance.

I am, &c.
Foreign Office, 24 June 1868. (signed) *Stanley.*

(Circular.) No. 18.

My Lord,
Sir,

Foreign Office, 22 September 1868.

I HAVE to call your attention to the following passage in the Earl of Clarendon's Circular Despatch of the 19th of April 1866:—

"As a general rule, regular attendance in the Chancery for five hours a day should, I conceive, suffice for the daily work of any Mission, though, of course, that time is liable to be prolonged in case of emergency."

I have reason to suppose that some misapprehension exists as to the purport of this passage, which was intended to intimate to Heads of Missions that their Chanceries should, as a general rule, be kept open at least for five hours in each day, excepting Sundays. In the larger Missions the ordinary work, and the maintenance of the Archives in proper order, may provide full employment for the Secretaries and Attachés for such a number of hours; and, at all events, it is but right and proper that wherever a British Mission is maintained, the doors of its Chancery should be open to British subjects and others having business to transact with it, for the time specified.

You will accordingly have the goodness to take care that the rule laid down by the Earl of Clarendon in 1866, and which I now confirm, is duly observed in your Chancery.

I am, &c.
(signed) *Stanley.*

(Circular.) No. 19.

My Lord,
Sir,

Foreign Office, 20 April 1869.

PROVISION having been made in the Estimate for Diplomatic Services for the current financial year for such expenditure as may be incurred by Her Majesty's Embassies and Missions abroad, on account of Extra Couriers and Telegrams, it will no longer be necessary that these two charges should be rendered in a separate account, but they should be included, as in previous years, in your quarterly accounts of Extraordinary Disbursements.

In other respects, and with the exception, of course, of any authority you may have received to draw separate bills on account of Extra Couriers and Telegrams, and which is hereby cancelled, the Circular of the 20th of April 1868 remains in force; but as, besides the re-insertion of the above-mentioned items, sundry other modifications have been introduced into the estimate, a new model form of account is inclosed for your guidance, and you will for the future render your quarterly accounts of Extraordinary Disbursements in strict accordance with it; but I have to remind you, in the terms of the Circular of the 18th of May last, that this account is a *pro formâ* account, and that you are not to understand it as giving you any authority to insert in your quarterly accounts any items which you have not hitherto been allowed to charge, or which you may not have obtained a special authority to include in your account.

I take this opportunity of saying that as the bills which, under existing instructions, you may be authorised to draw upon the Chief Clerk on account of your Extraordinary Disbursements are in the nature of imprests or advances to be afterwards accounted for by you, it will be desirable that you should exclude fractions of a pound from those bills, and should carry on any balance in shillings and pence for final adjustment when your quarterly account is rendered.

I have to add that it is essential, in order to meet the requirements of the Exchequer Audit Act, that all charges of whatever nature should, where possible, be supported by proof of payment; and where from the nature of the case no vouchers can be obtained, a declaration should be made to that effect, and that the money has been properly disbursed on the Public Service.

I am, &c.
(signed) *Clarendon.*

Her Majesty's at , in account with the Secretary of State for Foreign Affairs, for the Quarter ended 18 .

Dr. *Cr.*

Date of Bill.	——	Currency	Sterling.	——	Schedule.	Currency.	Sterling.
			£. s. d.				£. s. d.

We, the undersigned, do hereby certify that the current Exchange for Bills on the British Government, at three days after sight, when the above Bill drawn, was as follows:—

Viz., to the £ sterling.

(signed)

Dated at
day of 18 .

No. 20.

(Circular.)

My Lord,
Sir,

Foreign Office, 1 May 1869.

In conformity with a Resolution of the House of Commons passed in the last Session of Parliament, "That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House," Her Majesty's Government have presented to the House of Commons an estimate of the sums required for the salaries and allowances for house rent of Her Majesty's Diplomatic Servants abroad for the year 1869–70, and a Bill has been prepared for giving Parliamentary sanction to this arrangement.

Those salaries and allowances will therefore no longer be charged upon the Consolidated Fund, but will be the subject of an annual vote; and as, in common with all other voted services, they will be payable for the quarters ending on the 31st of March, the 30th of June, the 30th of September, and the 31st of December, instead of the old quarter-days, Her Majesty's Diplomatic Servants abroad should in future render their life certificates accordingly.

I am, &c.
(signed) *E. Hammond*
(For the Earl of Clarendon).

No. 21.

(Circular.)

My Lord,
Sir,

Foreign Office, 30 June 1869.

I have to state, for your information and guidance, that the Comptroller and Auditor General deems it essential that, as often as a charge is made in your Account of Extraordinaries for a journey on the public service, it should, wherever practicable, be supported by receipted vouchers for such items as Hotel Expenses, Carriages, Telegrams, &c.

I am, &c.
(signed) *E. Hammond,*
(For the Earl of Clarendon.)

No. 22.

(Circular.)

My Lord,
Sir,

Foreign Office, 20 July 1869.

Attention having been drawn by a Member of Parliament to the fact that Telegrams, on the Public Service, are not unfrequently transmitted from Her Majesty's Legations at the public charge, I have to desire that, for the future, no Telegrams may be charged in the

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quarterly account of Extraordinary Disbursements of Her Majesty's at , except such as may have been sent entirely on the service of the State; and with the view of ensuring uniformity in regard to expenditure for Telegrams, I should wish your Disbursements on this head to be stated in detail in your quarterly Account of Extraordinaries.

On the other side is a model form for your guidance in preparing the quarterly statement.

I am, &c.
(signed) *E. Hammond*
(For the Earl of Clarendon).

STATEMENT of TELEGRAMS on the Public Service sent from Her Majesty's at during the Quarter ended

Date.	Sent by	Sent to	Cost.	Observations.

No. 23.

(Circular.)

My Lord,
Sir,

Foreign Office, 14 August 1869.

SINCE the date of Earl Russell's Circular Despatch of the 25th of October 1860, and subsequent to the Report of the Committee of the House of Commons in the following year, various modifications have been carried out in the system of Her Majesty's Diplomatic Service; and it appears desirable that Her Majesty's Government should now be informed what have been the results of such modifications, with a view to a decision as to any further changes which may be desirable.

You are aware that the recommendations of the Committee of 1861, to which practical effects have been given by the sanction of the Secretary of State, are those which related to the examination of Attachés, the period during which their services should remain unpaid, their nomination as Secretaries, the issue of Commissions to them, and the temporary exchanges permitted between members of the Diplomatic Service and Clerks in this Office. Other changes have also been sanctioned by the Secretary of State, of which the different Missions concerned have been made aware, and political considerations have made it necessary to carry out alterations and reductions in the Establishment as it previously existed.

I shall be glad to receive from you such remarks as you may have to offer on the effect of these changes; and I shall be prepared to give my consideration to such suggestions as your experience may enable you to offer as to further improvements which can be carried out with advantage to the Public Service, explaining specially your views as to the Staff which you consider is absolutely required at your Mission.

I shall also be glad to receive from you information on the following points connected with the system in force in the Diplomatic Establishments of the Government to which you are accredited:—

1. What alterations of importance have been made in that service since 1861, either as regards terms of admission, general regulations, and arrangements as to salaries, pensions, or retiring allowances?

2. What rules are in force as regards a property qualification for entering the service?

3. What rules (if any) are laid down as to the marriage of junior members of the service?

4. On what footing is the establishment of Messengers connected with the service carried on; what is the annual cost; and what allowance is made for the expense of postage on the Public Service?

You will be so good as to report to me on these points at your early convenience.

I am, &c.
(signed) *E. Hammond*
(For Lord Clarendon).

No. 24.

(Circular.)

My Lord,

Sir,

Foreign Office, 16 September 1869.

Since my entrance into office in December last, the question of the Agencies held by various members of this Department under the appointment of the Diplomatic and Consular Servants of the Crown, and with the knowledge and concurrence of successive Secretaries of State, has been pressed on my attention, as it was on that of my immediate predecessor, who in his Circular Despatch of the 30th of June 1868, prepared Her Majesty's Diplomatic and Consular Servants for its ultimate, although not immediate, abolition.

The question of abolition, therefore, I found to be one merely of time; but as that time was left remote, my predecessor did not think it necessary to consider, and still less to express an opinion upon, the best means of providing such a substitute for the existing system as might prove convenient to Her Majesty's Diplomatic and Consular Servants who have heretofore employed as their Agents members on the establishment of the Foreign Office.

I have reason to believe that in a greater or less degree Her Majesty's Diplomatic and Consular Servants have found great convenience under the existing system, in regard to various matters, independently of the receipt of their salaries by their Agents under power of Attorney, and would regret the severance of their personal as distinct from their political relations with the members of the Department under which they serve.

I feel, too, that this severance will be not unattended with inconvenience as regards the transaction of the business of the Office, which, in numerous instances and in various ways, has been much facilitated by the exiting system.

I do not think it, however, for the benefit of the Public Service, or for the interests of the Diplomatic or Consular Servants of the Crown, or of members of this Office who have acted as Agents, that a controversy such as has been carried on for some time past, as to the merits or demerits of the present system, should any longer be continued; but, at the same time, I should much regret not only the pecuniary loss which its abolition would occasion to several members of the Foreign Office now acting as Agents, but in no less degree that its abolition should prove inconvenient to Her Majesty's Diplomatic and Consular Servants.

It has been a satisfaction to me to find that the Agents themselves are disposed to facilitate the abolition of the present system, if I should be willing to accept the resignation of his public employment and emoluments by one of their number, who would thenceforth undertake (though having no official connection with the Public Service, and being, therefore, under no official control) to perform for such members of the Diplomatic and Consular Service as might think proper to appoint him their Agent, duties corresponding with those which he and his fellow-agents have heretofore performed for them.

I am willing to facilitate this arrangement, though by so doing I should be compelled to deprive the Office and the Public of the services of Mr. Staveley, one of the most efficient members of the Establishment, who, I am informed, having come to an understanding with his fellow-agents, by which he would for a time appropriate to them a portion of the Agency receipts, would be willing to forego his position and present emoluments in the Public Service for the profession of a Private Agent, if before taking a step which has so material a bearing on his personal interests, he should be enabled to ascertain that he could reckon upon the transfer to him, as a Private Agent unconnected with the Public Service, of the confidence reposed by the members of the Diplomatic and Consular Service in his fellow-agents and himself while members of the Foreign Office, to such an extent as would warrant his undertaking the Agency without incurring too great a risk.

Mr. Staveley will himself communicate with the members of the two services with the above object; but it rests entirely with them to determine what course they may think proper to adopt in order to provide for themselves a substitute for the present system, which must be brought to a close, and in regard to which, as stated by my predecessor in his Circular of the 30th of June 1868, there was no obligation on the part of Her Majesty's Diplomatic or Consular Servants to have recourse to a Clerk in the Foreign Office to act as Agent for any purpose whatever.

I have only to add on this subject that if Mr. Staveley, on ascertaining the wishes and intentions of the members of the two services, should desire to renounce his Clerkship in this Office, to undertake the Agency, I will offer no objection to his doing so; and I shall greatly rejoice if by my acquiescence, I can contribute to an arrangement which may tend to the mutual convenience and advantage of the members of Her Majesty's Diplomatic and Consular Services, and of Mr. Staveley himself, who has uniformly discharged his public duties in a manner no less advantageous to the public service than creditable to himself.

As a matter of public convenience, I should be glad if, in answer to his application to you, you would intimate your intentions to Mr. Staveley with as little delay as possible, so that no time may be lost in inaugurating a new system, in place of the one that now exists; whether Mr. Staveley should be induced, by the result of his application to the members of the two services, to leave the Office, or whether, in the contrary case, some other course must be taken.

You will communicate this Despatch to the members of your Mission, for their information and guidance.

I am, &c.

(signed) *E. Hammond*

(For the Earl of Clarendon).

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No. 25.

(Circular.)

My Lord,
Sir,

Foreign Office, 29 September 1869.

By my Circular Despatch of the 14th of August last, I instructed you to report your opinion on the changes introduced into the organisation of Her Majesty's Diplomatic Service subsequently to the Report of the Committee of the House of Commons of the 23rd of July 1861, and upon certain points connected with the arrangements for the Diplomatic Service in the country in which you reside.

I shall be glad, however, to receive from you, in a tabulated form, a List showing the rank, salaries, and other allowances of the Chiefs of Diplomatic Missions accredited to foreign countries by the country in which you reside, and the numbers of the several persons, whether Cancelliers, Secretaries, Attachés, or Officers of other denominations, composing their Diplomatic Establishments, with the salaries and other allowances assigned to each of them.

I should also wish to receive your opinion as to the estimated amount of expenditure which the junior members of your own Diplomatic Establishment are obliged to incur for their lodging and maintenance, with reference to their social position in the place of their residence.

I have further to instruct you to obtain, from persons competent from their local knowledge to afford full and impartial information on the subject, such, for instance, as bankers or influential merchants, a comparative statement of the cost of living (I do not mean by this a detailed statement of the articles of consumption, but a general statement in round figures) at the present time and in the year 1850; and also a like comparative statement of the cost of house rent and furniture, carriages and horses, and wages of domestic servants, from which a judgment may be formed as to the comparative purchasing value at the present time of the salaries assigned to Her Majesty's Diplomatic Servants, and what it would have been in the year 1850. And, if such information can be obtained, I should be also glad to know whether the general style of living among the society in which members of the Diplomatic Body are in the habit of mixing is more moderate or more expensive now than it was in 1850.

I am, &c.
(signed) *E. Hammond*
(For the Earl of Clarendon).

No. 26.

(Circular.)

My Lord,
Sir,

Foreign Office, 13 October 1869.

Lord Clarendon has just learned for the first time that Mr. Staveley's letter of the 16th of September, offering his services to you conditionally as Private Agent unconnected with the Office, was placed in the same cover with his Lordship's Circular of that day, acquainting you that the system hitherto existing under which Clerks in the Foreign Office were allowed to act as Agents for Her Majesty's Diplomatic and Consular Servants who might choose to employ them would be discontinued.

In case you should have been led to suppose by this circumstance that Mr. Staveley's letter was an inclosure in his Lordship's Circular, and that he desired to influence your decision in regard to Mr. Staveley's application, Lord Clarendon directs me to say that, although he was content to assist in relieving Her Majesty's Diplomatic and Consular Servants from the inconvenience which he fears may result to them from the abolition of a system which has continued for many years, by allowing Mr. Staveley to retire from the Office with a view to undertake the Agency of any of them who might desire to employ him, his Lordship had not the slightest intention or wish to influence them in a matter which bears exclusively on their own personal feelings, interests, and convenience.

You will make this known to the different members of your Mission.

I am, &c.
(signed) *E. Hammond.*

No. 27.

(Circular.)

My Lord,
Sir,

Foreign Office, 31 December 1869.

The Post Office have called my attention to the very heavy payments they have to make to Foreign Governments for transit postage on account of the Foreign Office, and I am desirous to assist them in reducing the amount of these payments.

I hope, indeed, that the heads of Her Majesty's Missions abroad bear constantly in mind the regulations laid down by Viscount Palmerston in 1840, in regard to the transmission of

of letters by post, with the explanations by which those Regulations were accompanied, as set forth in his Circular Despatch of the 15th May 1840.

But it is not sufficient that the heads of Her Majesty's Missions should themselves observe those Regulations; it is necessary that they should see that they are observed by others also.

I do not here allude only to the placing inside of envelopes addressed to the Secretary of State or Under Secretary of State letters which ought not to be so forwarded, but also to the case of letters being sent from Her Majesty's Missions to private parties in this country, the postage prepaid on such letters being passed in the account of the Missions with the Foreign Post Office.

I need scarcely say that the latter proceeding would be equally, if not more objectionable than the former; and I must request the Heads of Missions to take such measures as may effectually put a stop to it, if it has been practised by any persons under their control.

I must beg you to impress upon the members of your Mission that the very great indulgence of receiving and sending their letters free, which was continued to them in 1840, is allowed on the express understanding that the conditions on which it is granted are faithfully observed, and that no letters except those *bonâ fide* written by or to members of the Diplomatic Service, or these members of their respective families who may be residing with them, are ever sent in covers passing through a Foreign Post Office.

But, in other respects, while strictly observing the Regulations of 1840, the members of Her Majesty's Diplomatic Service will go far to meet the objects of the Post Office, and my wishes, if in the case where Messengers pass periodically through the place of their residence, they refrain, except in cases of real emergency, and in which the dispatch of public business is concerned, from sending letters by post; and if, when they do send letters by post, they will write them on thin paper, prepaying the postage, and requesting their correspondents in this country to do the same.

I wish also to observe that these directions apply not only to letters sent in packets, but to those sent in bags, passing through Foreign Post Offices, as they do in some cases; and in regard to such bags, it must be clearly understood that the same restrictions are to be applied as in regard to letters sent in covers by post; and that in no case are such bags to be used for the transmission of parcels.

I am aware that a practice has grown up of considering that bags sent by sea in mail packets or other British vessels may be used for the transmission of parcels other than those specified by the Regulations of 1840; but though such a practice may not entail any payment to foreign countries for transit postage, it is unquestionably inconsistent with the Regulations of 1840; and though I will not at the present time peremptorily put a stop to it, I reserve to myself to do so at any future time if the indulgence is abused.

I will not, at all events for the present, interfere with the existing Regulations under which parcels of a certain weight may be sent in bags conveyed from and to London by Queen's Messengers. But my attention has been attracted by the very heavy charges in the Messengers' bills on account of extra luggage imposed by foreign railways, which it is impossible for me to allow to continue.

I fear that many things are sent in bags conveyed by Messengers under the extended privileges granted in 1863, which were wholly excluded by the Regulations of 1840, and which were scarcely contemplated by those of 1863; I allude more specifically to articles of dress, wooden cases, &c. I should be sorry to deprive Her Majesty's Diplomatic Servants of the convenience which they may derive from receiving and forwarding in the bags sent by Messengers, small packages which might be lost if sent by public conveyance; though I believe, at the present time, greater facilities than were formerly available exist for the sending and receiving parcels by such a channel. But I must look to Her Majesty's Diplomatic Servants generally, and more specifically to the Heads of Missions, for co-operation in my attempts to reduce the heavy expenditure on bags conveyed by Messengers.

I will add that Her Majesty's Diplomatic Servants must clearly understand that they are not authorised, except under very special circumstances, and with the direct approval of the Heads of Missions in each particular case, indicated by his signature on the direction in his own handwriting, to send even in bags conveyed by Messengers either letters or parcels for private persons.

My present Despatch is to be read with the Regulations of 1840 and 1863, of which, as well as of the Circulars of 1840, 1843, and 1863, for convenience I enclose copies; which Regulations are in every respect to continue to be observed, except in so far as they are modified by what I have now stated; and I have desired a copy of my Despatch to be circulated in this Office for the guidance of its members. (5.)

I am, &c.
(signed) *E. Hammond*
(For the Earl of Clarendon).

REGULATIONS respecting Parcels.

1. No more than one bag containing parcels for the private use of the members of Her Majesty's Mission, or of any other persons employed by this Office, at any one place shall be sent from the Foreign Office by a Messenger going to or passing through such place;

Appendix, No. 7.

and no such bag shall be made up for any place where there is not a Mission, or a person in the immediate employment of the Foreign Office.

2. No parcel shall be enclosed in such bag of other than moderate dimensions, and the whole weight of parcels other than those allowed by the Regulations of 1840, addressed to any one person shall not exceed 10 lbs.

3. No parcel addressed to a private person shall be sent in such bag except with the express permission either of the Secretary of State, of one of the Under Secretaries, or of the Assistant Under Secretary of State.

4. No parcel shall be sent in the parcel-bag from this Office to any of Her Majesty's servants abroad, unless it is accompanied, on delivery at this Office, with a letter from the person to whom it is addressed, and acknowledging the parcel [*i. e.*, that is, authorising its delivery], or, in default of such letter, unless sanctioned by one of the Under Secretaries or by the Assistant Under Secretary.

Foreign Office, 10 January 1863.

Parcels cannot be forwarded to Her Majesty's Missions abroad otherwise than in conformity with the above Regulations; and even in the case of parcels coming within those Regulations, it is impossible to make any promise as to when any particular parcel or parcels shall be forwarded. It is, however, to be observed, that the smaller and lighter the parcel is, the greater will be the probability, provided it be securely packed, of its being forwarded; therefore every endeavour, consistent with proper packing, should be made to reduce the size and weight of the parcels. It is further recommended that parcels which it desired should be sent abroad without delay should be brought to the office as early as possible between the hours of 1 and 5 p.m.; and the letter or order referred to in paragraph 4 should be brought to the Foreign Office open, in order that it may be exhibited at the time of the delivery of the parcel to which it relates.

(Circular).

My Lord,
Sir,

Foreign Office, 10 January 1863.

My attention has been called to the enormous amount of the expenditure which is now incurred on account of the railway charges for extra luggage conveyed by the Queen's Messengers employed abroad.

The restrictions imposed by the Circular of the 15th May 1840, have become a dead letter; and the abuse has gone on increasing until it involves an annual expenditure of not much less than 2,500 *l.* a year.

It is impossible for me to allow such a state of things to continue.

I will not, however, enforce the very stringent regulations on this subject laid down by Viscount Palmerston in 1840, without first ascertaining whether the modification of those Regulations which I am prepared experimentally to make, is accepted and observed by Her Majesty's Missions abroad in a proper spirit; but if I should be disappointed in this respect, I shall, without hesitation, prohibit anything whatever beyond public despatches and letters being sent to any Mission that disregards the new Regulations which I now proceed to lay down:—

1. No more than one bag containing parcels for the private use of the members of Her Majesty's Mission, or of any other persons employed by this Office, at any one place, shall be sent from the Foreign Office by a Messenger going to or passing through such place; and no such bag shall be made up for any place where there is not a Mission, or a person in the immediate employment of the Foreign Office.

2. No parcel shall be inclosed in such bag of other than moderate dimensions; and the whole weight of parcels, other than those allowed by the Regulations of 1840, addressed to any one person shall not exceed 10 pounds.

3. No parcel addressed to a private person shall be sent in such bag except with the express permission either of the Secretary of State, or one of the Under Secretaries, or of the Assistant Under Secretary of State.

The agents of the several members of Her Majesty's Diplomatic Service will be held responsible to the Secretary of State for the observance of these rules, so far as they are concerned; and I look to the Heads of Missions to enforce them in their respective Chanceries, in regard to the contents of bags made up in them.

With this view I have to instruct you to make known the contents of this Despatch to all the members of your Mission; and you will acquaint them that they are specially prohibited from allowing private persons unconnected with Her Majesty's Service to receive under their cover parcels by Queen's Messengers. You will further point out to the members of your Mission that this prohibition applies equally to their sending parcels for private persons, without the express permission of the head of the Mission, who, when such permission

permission is given, will affix his name, in his own handwriting, to the parcel; and you will warn the members of your Mission that if any instance of a wilful disregard of these prohibitions by any one of them should come to the knowledge of the Secretary of State, the party offending will not only incur a very serious personal responsibility, but may cause the privilege of having a parcel-bag to be entirely withdrawn from the Mission.

These Regulations do not apply with respect to parcels for the Queen or for any of the Royal Family.

To prevent any misunderstanding, I have directed that the Agents in this Office who make up the parcel-bags should reserve a proportionate and reasonable space in the bags for the several persons admitted to share in the privilege of having parcels for their private use conveyed by the Queen's Messengers.

You will understand that, except as hereby modified, the Regulations of Lord Palmerston of 1840, of which, with the Circular relating to them, I enclose copies, are to be strictly observed.

I am, &c.
(signed) *Russell.*

(Circular.)

My Lord,
Sir,

Foreign Office, 22 September 1843.

Frequent irregularities having recently been committed by several of Her Majesty's Embassies and Missions abroad, in contravention of the established Regulations, by the transmission of private boxes and parcels either in the despatch bags entrusted to Her Majesty's Messengers, or by post addressed to this Office, I have to call your immediate attention to the printed Regulations, already in your possession, for the transmission of the correspondence between the Foreign Office and Her Majesty's Embassies and Missions abroad, and to desire that you will strictly enforce in your Embassy / Mission the rigid and constant observance of those Regulations, modified as they are by the explanations contained in Viscount Palmerston's Circular, in which they were transmitted to Her Majesty's Embassies and Missions abroad.

See Viscount Palmerston's Circular of May 15, 1840.

I have further to state to you that henceforward any box, parcel, or packet which may be sent, contrary to those Regulations, in despatch bags or by post, addressed to this Office, will be forthwith placed at the disposal of the General Post Office, to be charged full postage from the place from which it came, at the cost of the individual to whom it may be addressed.

I herewith enclose some fresh copies of the printed Regulations above referred to, and have to desire that a copy may be kept constantly hung up in a conspicuous part of your Chancery or Secretaries' writing-room.

I am, &c.
(signed) *Aberdeen.*

Regulations for the Transmission of the Correspondence between the Foreign Office and Her Majesty's Embassies and Missions Abroad.

Regulation A.

For transmission

By Post.

No packets of any description other than Official Despatches, shall be forwarded by the post between the Foreign Office and Her Majesty's Embassies and Missions abroad: and no letters are to be so forwarded but such as are hereinafter specified, viz.:—

1. Official Despatches to and from the Embassies, Missions, and Consulates abroad.

2. Letters to and from the Royal Family of Great Britain.

Regulation B.

For transmission

By Queen's Messengers,

or,

By British Mail Packets or other Vessels carrying Mails or Letter-bags.

No packets or letters are to be forwarded by the conveyance above-mentioned, whether in Official Despatch-bags or in paper covers, other than such as are hereinafter specified, viz.:—

1. Official Despatches to and from Embassies, Missions, and Consulates abroad; and also letters to and from other Departments of Her Majesty's Government, vouched to be on the public service.

2. Letters and parcels to and from the Royal Family of Great Britain.

Appendix, No. 7.

3. Letters forwarded from the Foreign Office, with the name of the Secretary of State, or of one of the Under Secretaries of State, written on the outside cover, either by themselves or by officers specially authorised by them for that purpose; or letters addressed to the Secretary of State or to an Under Secretary of State by name, and countersigned by some member of the Embassy or Mission abroad.

4. Newspapers for the use of the Foreign Office, or for the Chief or the Secretary of an Embassy or Mission, sent in bands with open ends.

3. Letters forwarded from the Foreign Office, with the name of the Secretary of State, or of one of the Under Secretaries of State, written on the outside cover, either by themselves or by officers specially authorised by them for that purpose; or letters addressed to the Secretary of State or to an Under Secretary of State by name, and countersigned by some member of the Embassy or Mission abroad.

4. Newspapers and literary, statistical, or Parliamentary publications, sent for the use of Her Majesty's Government at home, or for any of Her Majesty's Embassies, Missions, or Consulates abroad.

5. Despatches, letters, and packets addressed by functionaries of foreign Governments to the functionaries of such Governments resident at the British Court, or at other Courts or Governments with which the British Court is in communication, and *vice versâ*; sent, in each case, under the sanction of the Secretary of State, or of the Chief of a British Embassy or Mission abroad; provided always that such letters or packets shall contain only papers or publications of moderate bulk; and that, if sent from the Foreign Office, there shall be written on the outside cover thereof the name of the Secretary of State or of one of the Under Secretaries of State, such name to be written either by those officers themselves or by officers specially authorised by them for that purpose: and that if such packets be forwarded from an Embassy or Mission abroad, there shall be written on the outside cover thereof the name of the Chief of such Embassy or Mission, such name to be written either by that officer himself, or by some member of the Embassy or Mission authorised for that purpose.

It is to be distinctly understood that no packets containing articles not being papers and publications, as above described (except as specified in section 2), are permitted, under these Regulations, to be forwarded between the Foreign Office and Embassies and Missions abroad.

Foreign Office,
7 May 1840.

(signed) *Palmerston.*

(Circular.)

My Lord,
Sir,

Foreign Office, 15 May 1840.

The Lords Commissioners of Her Majesty's Treasury having, by a Warrant under their hands dated the 27th of December last, and issued under the authority of an Act passed in the last Session of Parliament, entitled, "An Act for the further Regulation of the Duties on Postage," directed that, from and after the 10th of January of the present year, the privilege of sending and receiving by post, free of postage, letters, either Parliamentary or Official, or of any other description whatsoever, shall be suspended during the time the said Warrant shall be in force; and the effect of this measure being to render the correspondence of this office liable to foreign postage, it has appeared to the Secretary of State to be expedient to revise the Regulations for carrying on the correspondence between this Department and Her Majesty's Embassies and Missions abroad, in order to prevent any correspondence, or other things, which have no relation to the public service, from being transmitted under Official covers, or in Official bags, so as unnecessarily and improperly to increase the annual charge of postage against the Foreign Office.

For this purpose the annexed Regulations have been framed, and I have to desire that you will yourself conform to the provisions thereof, and that you will cause the same to be strictly attended to and carried into effect by the members of your Mission.

With

With reference to section 3, Regulation A, you will understand that it is not intended to deprive Her Majesty's Diplomatic Servants abroad of the privilege which they have hitherto enjoyed of forwarding their own personal correspondence in the Official bags or by post. Under that indulgence may be admitted letters actually written by, or destined for, the gentlemen of the Embassy or Mission on their own affairs; or letters of the same kind to or from those members of their respective families who may be residing with them; or letters of the same kind to and from the members of the Foreign Office. But it must be clearly understood that the letters so allowed to be transmitted must be such only as belong to the personal correspondence of the parties to and from whom they are transmitted, and must on no account contain enclosures for any persons not entitled by these Regulations to send or receive such letters in their own name; and the writer of the letter must inscribe his signature on the outside cover, as vouching for the *bonâ fide* character of the letter, and for its being in strict conformity with the above-mentioned conditions.

You will accordingly understand, and you will distinctly explain to the members of your Mission, that this privilege can only be continued on the express condition that the limitations so laid down shall be punctually and conscientiously observed by every member of your Mission.

Orders in conformity with this Regulation are in like manner issued to the members of the Foreign Office, who are prohibited from receiving or forwarding through your Mission any letter or packet except such as are permitted by the annexed Regulations, or such as shall have received the especial sanction of the Principal Secretary of State.

You will cause a copy of the annexed Regulations to be hung up in the Chancery of your Mission, and you will enjoin the scrupulous observance thereof upon every gentleman who may, from time to time, belong to your Mission.

I am, &c.
(signed) *Palmerston.*

No. 28.

(Circular.)

My Lord,
Sir,

Foreign Office, 9 March 1870.

I HAVE to state to you, that I propose shortly to present to Parliament, copies of the Reports on Land Tenure and Industrial questions abroad, received from Her Majesty's Secretaries of Legation and other Officers, in pursuance of the instructions contained in my Circular of the 26th of August last.

In addressing those Circulars to Her Majesty's Missions, I was well aware that the matters to which the attention of the Secretaries and other Officers were therein directed would not come within their ordinary cognisance; but I had full confidence in the readiness of the Secretaries and other Officers efficiently to discharge any duty which they are called upon to perform.

In this anticipation I have not been disappointed, and in giving publicity to the Reports, I do not doubt that Parliament and the Public will recognise in them satisfactory evidence of the zeal, intelligence, and ungrudging industry of the respective writers.

I am, &c.
(signed) *Clarendon.*

AN ACCOUNT of the SALARIES and HOUSE RENT paid out of the CONSOLIDATED FUND in t Year ended 31st March 1869, for the DIPLOMATIC SERVICE, and of the Future Annual Charge f the same, taken from the Finance Accounts of 1869.

SALARIES AND ALLOWANCES. (Per Act 2 & 3 Will. 4, c. 116.)		£. s. d.	PAYMENTS in the Year ended 31 March 1869. £. s. d.	FUTURE ANNUAL CHARG
France	Ambassador	10,000 – –		
	Secretary of Embassy	1,165 7 3		
	Second Secretary, 1st	343 13 7		
	Ditto – 2nd	300 – –		
	Military Attaché	500 – –		
	Naval Attaché	500 – –		
			12,809 – 10	
Turkey	Ambassador	8,000 – –		
	Secretary of Embassy	900 – –		
	Oriental Secretary	600 – –		
	Second Secretary, 1st	400 – –		
	Ditto – 2nd	286 4 2		
	Ditto – 3rd	280 4 5		
	Ditto – 4th	300 – –		
			10,766 8 7	
Russia	Ambassador	8,628 11 5		
	Secretary of Embassy	1,203 1 9		
	Second Secretary, 1st	400 – –		
	Ditto – 2nd	350 – –		
	Ditto – 3rd	300 – –		
			10,881 13 2	
Austria	Ambassador	7,541 15 10		
	Secretary of Embassy	1,892 14 –		
	Second Secretary, 1st	395 8 1		
	Ditto – 2nd	300 – –		
	Ditto – 3rd	250 – –		
			10,379 17 11	
Prussia	Ambassador	7,812 – –		
	Secretary of Embassy	924 11 3		
	Acting Chargé d'Affaires	92 – –		
	Second Secretary, 1st	333 6 11		
	Ditto – 2nd (to 20 April 1868)	76 18 6		
	Ditto – 3rd	250 – –		
			9,488 16 8	
Spain	Envoy Extraordinary and Minister Plenipotentiary	5,500 – –		
	Secretary of Legation	592 2 7		
	Second Secretary	350 – –		
			6,442 2 7	
United States	Envoy Extraordinary and Minister Plenipotentiary	5,882 9 6		
	Secretary of Legation	796 – –		
	Second Secretary, 1st	350 – –		
	Ditto – 2nd	300 – –		
	Naval Attaché (from 3 October 1868)	135 6 2		
			7,463 15 8	
	Carried forward £.		68,231 15 5	

Note.—It is proposed to remove the future Charge for these Salaries to the Civil Service Estimates.

Account of Salaries and House Rent of the Diplomatic Service—*continued.*

SALARIES AND ALLOWANCES—*continued.*	£. s. d.	PAYMENTS in the Year ended 31 March 1869. £. s. d.	FUTURE ANNUAL CHARGE.
Brought forward - - -	- -	68,231 15 5	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	5,303 5 5		
Secretary of Legation - - - - - -	1,222 - -		
Second Secretary, 1st - - - - - -	343 13 9		
Ditto - - 2nd - - - - - -	250 - -		
		7,118 19 2	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	3,843 1 1		
Secretary of Legation - - - - - -	1,421 9 5		
Second Secretary - - - - - -	245 9 9		
		5,510 - 3	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	4,696 11 -		
Secretary of Legation - - - - -	654 1 9		
Second Secretary - - - - - -	250 - -		
		5,600 12 9	
ls - Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	4,000 - -		
Secretary of Legation - - - - -	291 4 2		
Second Secretary - - - - - -	250 - -		
		4,541 4 2	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	2,991 19 1		
Secretary of Legation - - - - -	857 16 10		
Second Secretary - - - - - -	250 - -		
		4,099 15 11	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	3,543 6 -		
Secretary of Legation - - - - -	582 4 10		
Second Secretary - - - - - -	366 7 8		
		4,491 18 6	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	2,666 16 11		
Secretary of Legation - - - - -	953 - -		
Second Secretary - - - - - -	250 - -		
		3,869 16 11	
- Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	3,940 - -		
Secretary of Legation - - - - -	560 - -		
Second Secretary - - - - - -	243 16 4		
		4,743 16 4	
arg - Envoy Extraordinary and Minister Plenipotentiary - - - - - - - -	2,300 - -		
Secretary of Legation - - - - -	500 - -		
Second Secretary - - - - - -	250 - -		
		3,050 - -	
t - Secretary of Legation - - - - -	675 - -		
		675 - -	
urg - Secretary of Legation - - - - -	850 - -		
		850 - -	
Carried forward - - - £.		112,782 19 5	

Note.—It is proposed to remove the future Charge for these Salaries to the Civil Service Estimates.

Account of Salaries and House Rent of the Diplomatic Service—*continued.*

		£. s. d.	PAYMENTS in the Year ended 31 March 1869. £. s. d.	FUTURE ANNUAL CHAR
SALARIES AND ALLOWANCES—*continued.*				
	Brought forward	- - -	112,782 19 5	
Dresden	Secretary of Legation	888 14 8	888 14 8	
Switzerland	Minister Plenipotentiary	2,733 12 5		
	Secretary of Legation	388 12 2		
	Acting Chargé d'Affaires	104 – –	3,226 4 7	
Greece	Minister Plenipotentiary	3,800 – –		
	Secretary of Legation	344 1 10		
	Second Secretary	250 – –	4,394 1 10	
Mexico	Secretary of Legation (to 8 March 1868)	103 16 11		
	Second Secretary (to 11 August 1868)	148 16 10	252 13 9	
Argentine Republic.	Minister Plenipotentiary	3,183 16 10		
	Secretary of Legation	1,278 19 4		
	Second Secretary	250 – –	4,712 16 2	
Morocco	Minister Plenipotentiary	- -	400 – –	
Central American Republics.	Chargé d'Affaires	- -	2,000 – –	
Venezuela	Chargé d'Affaires	- -	2,000 – –	
Peru	Chargé d'Affaires	- -	2,000 – –	
Chile	Chargé d'Affaires	- -	1,766 4 1	
Monte Video	Chargé d'Affaires	- -	1,481 1 3	
Equator	Chargé d'Affaires	- -	1,726 – –	
United Provinces of Columbia.	Chargé d'Affaires	- -	2,000 – –	
Second Secretary, on Special Service at Rome		- -	1,031 12 2	
Persia	For the use of Her Majesty's Mission	- -	1,144 18 –	
		£.	141,807 5 11	

Note.—It is proposed to remove the future Charge for these Salaries to the Civil Service Estimates.

The diplomatic Expenditure in China, Japan, and Persia, was not charged in the year 1868–69 on the diplom fund provided by the Act of 2 & 3 Will. 4, cap. 116, that for China and Japan being annually voted, and that Persia being provided out of the money contributed for that purpose by the Indian Government.

The salaries of third secretaries were also voted annually.

Chap. CXXVII.

An Act to regulate the Diplomatic and Consular Systems of the United States. 18 August 1856.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Ambassadors, Envoys Extraordinary, and Ministers Plenipotentiary, Ministers Resident, Commissioners, Chargés d'Affaires, and Secretaries of Legation, appointed to the countries hereinafter named in Schedule A, shall be entitled to compensation for their services, respectively, at the rates per annum hereinafter specified; that is to say, Ambassadors and Envoys Extraordinary and Ministers Plenipotentiary, the full amounts specified therefor in said Schedule A; Ministers Resident and Commissioners, seventy-five per centum; Chargés d'Affaires, fifty per centum; and Secretaries of Legation, fifteen per centum of the said amounts respectively: Provided, that the compensation of the Secretary of the Legation to China, acting as interpreter, shall be at the rate of five thousand dollars, and if not acting as such, at the rate of three thousand dollars, and that of the Secretary of Legation to Turkey, acting as dragoman, at the rate of three thousand dollars, and if not acting as such, at the rate of two thousand dollars per annum.

Pay of Diplomatic Consular Officers.

Pay of Secretaries to Legations to China and Turkey.

Schedule A.

Schedule A.

Great Britain and France, each, seventeen thousand five hundred dollars.
Russia, Spain, Austria, Prussia, Brazil, Mexico, and China, each, twelve thousand dollars.
All other countries, each, ten thousand dollars.

Sec. 2. And be it further enacted, that the President be, and is hereby authorised to appoint for the Legations at London and Paris respectively an Assistant Secretary of Legation, who shall be entitled to compensation for their services respectively at the rate of fifteen hundred dollars per annum; for the Legation to China, an interpreter when the Secretary of Legation shall not be acting as such, who shall be entitled to compensation at the rate of five thousand dollars; and for the Legation to Turkey, a dragoman when the Secretary of Legation shall not be acting as such, who shall be entitled to compensation at the rate of one thousand dollars per annum.

Sub-Officers of the Legations at London and Paris and to China and Turkey.

Sec. 3. And be it further enacted, that the Consuls-General, Consuls, and Commercial Agents appointed to the ports and places hereinafter specified in Schedules B and C, shall be entitled to compensation for their services respectively at the rates per annum hereinafter specified in said Schedules B and C; and if the President shall think proper to appoint a Consul to any port or place named in the said Schedules B and C for a Commercial Agent, instead of such Commercial Agent, or *vice versâ*, and an appointment shall be made accordingly, the compensation for such Consular officer shall be the same in any such case as that fixed for such port or place in the Schedule embracing the same; and if he shall think the public interests will be subserved by appointing to any such port or place a Consul-General instead of a Consul or Commercial Agent, and an appointment shall be made accordingly, the compensation for such Consul-General shall be the same as that fixed for such port or place in the Schedule embracing the same.

Pay of Consuls, Consuls-General, and Commercial Agents.

Schedule B.

Schedule B.

I. *Consuls-General.*

Consuls-General.

British North America.—Quebec, four thousand dollars.
British India.—Calcutta, five thousand dollars.
Egypt.—Alexandria, three thousand five hundred dollars.
Japan.—Simoda, five thousand dollars.
Cuba.—Havana, six thousand dollars.
Turkey.—Constantinople, three thousand dollars.
Hanseatic and Free Cities.—Frankfort-on-the-Main, three thousand dollars.

Post, p. 404.
1859, ch. 75, § 2.

Appendix, No. 7.

II. *Consuls.*

Consuls.

Great Britain.—Liverpool and London, each, seven thousand five hundred dollars. Melbourne, four thousand dollars. Hong Kong, three thousand five hundred dollars. Glasgow, three thousand dollars. Mauritius and Singapore, each two thousand five hundred dollars. Belfast, Cork, Dundee, Demerara, Halifax, Kingston (Jamaica), Leeds, Manchester, Nassau (New Providence), Southampton, and Turk's Island, each, two thousand dollars. Prince Edward's Island, one thousand dollars.

France.—Havre, six thousand dollars. Paris, five thousand dollars. Marseilles, two thousand five hundred dollars. Bordeaux, two thousand dollars. La Rochelle and Lyons, each, one thousand five hundred dollars.

Russia.—Moscow, Odessa, Revel and St. Petersburg, each, two thousand dollars.

Spain.—Matanzas, Trinidad de Cuba, and Santiago de Cuba, each, two thousand five hundred dollars. San Juan (Porto Rico), two thousand dollars. Cadiz, Malaga, and Ponce (Porto Rico), each, one thousand five hundred dollars.

Austria.—Trieste, two thousand dollars. Vienna, one thousand five hundred dollars.

Prussia.—Aix-la-Chapelle, two thousand five hundred dollars.

China.—Canton and Shanghae, each, four thousand dollars. Fouchou, three thousand five hundred dollars. Amoy and Ningpo, each, three thousand dollars.

Turkey.—Beyrout and Smyrna, each, two thousand dollars. Jerusalem, one thousand five hundred dollars.

Netherlands.—Rotterdam, two thousand dollars. Amsterdam, one thousand dollars.

Belgium.—Antwerp, two thousand five hundred dollars.

Portugal.—Funchal and Oporto, each, one thousand five hundred dollars.

Denmark.—St. Thomas, four thousand dollars. Elsineur, one thousand five hundred dollars.

Sardinia.—Genoa, one thousand five hundred dollars.

Switzerland.—Basle, two thousand dollars. Geneva, one thousand five hundred dollars.

Sicilies.—Messina, Naples, and Palermo, each, one thousand five hundred dollars.

Saxony.—Leipsic, one thousand five hundred dollars.

Bavaria.—Munich, one thousand dollars.

Tuscany.—Leghorn, one thousand five hundred dollars.

Wurtemburg.—Stuttgardt, one thousand dollars.

Hanseatic and Free Cities.—Bremen and Hamburg, each, two thousand dollars.

Barbary States.—Tangiers, Tripoli, and Tunis, each, three thousand dollars.

Brazil.—Rio de Janeiro, six thousand dollars. Pernambuco, two thousand dollars.

Mexico.—Vera Cruz, three thousand five hundred dollars. Acapulco, two thousand dollars.

Peru.—Callao, three thousand five hundred dollars.

Chili.—Valparaiso, three thousand dollars.

Buenos Ayres.—Buenos Ayres, two thousand dollars.

Nicaragua.—San Juan del Sur, two thousand dollars.

New Grenada.—Aspinwall, two thousand five hundred dollars. Panama, three thousand five hundred dollars.

Venezuela.—Laguayra, one thousand five hundred dollars.

Sandwich Islands.—Honolulu, four thousand dollars. Lahaina, three thousand dollars.

Commercial agents.

III. *Commercial Agents.*

Nicaragua.—San Juan del Norte, two thousand dollars.

St. Domingo (Island).—Port-au-Prince, two thousand dollars. St. Domingo (city), one thousand five hundred dollars.

Schedule C.

Schedule C.

Consuls.

I. *Consuls.*

Great Britain.—Capetown and Falkland Islands, each, one thousand dollars.

Austria.—Venice, seven hundred and fifty dollars.

Prussia.—Stettin, one thousand dollars.

Turkey.—Candia and Cyprus, each, one thousand dollars.

Netherlands.—Batavia, one thousand dollars.

Portugal.

Portugal.—Fayal and Santiago (Cape de Verdes), each, seven hundred and fifty dollars.
Denmark.—Saint Croix, seven hundred and fifty dollars.
Sardinia.—Spezzia, one thousand dollars.
Greece.—Athens, one thousand dollars.
Muscat.—Zanzibar, one thousand dollars.
Brazil.—Bahia, Maranham Island, Para, and Rio Grande, each, one thousand dollars.
Mexico.—Matamoras, Mexico (city), and Tampico, each, one thousand dollars. Paso del Norte and Tabasco, each, five hundred dollars.
Peru.—Paita and Tumbez, each, five hundred dollars.
Chili.—Talcahuano, one thousand dollars.
New Grenada.—Carthagena and Sabanillo, each, five hundred dollars.
Honduras.—Omoa, one thousand dollars.
Ecuador.—Guayaquil, seven hundred and fifty dollars.
Bolivia.—Cobija, five hundred dollars.
Uruguay.—Monte Video, one thousand dollars.
Society Islands.—Tahiti, one thousand dollars.
New Zealand.—Bay of Islands, one thousand dollars.
Navigators' Island.—Apia, one thousand dollars.
Feejee Islands.—Lauthala, one thousand dollars.

II. *Commercial Agents.*

Commercial Agents.

Portugal.—St. Paul de Loanda (Angola), one thousand dollars.
Liberia.—Monrovia and Gaboon, each, one thousand dollars.
St. Domingo (Island).—Cape Haytien, one thousand dollars. Aux Cayes, five hundred dollars.
Russia in Asia.—Amoor River, one thousand dollars.

All others to have only their fees.

Sec. 4. And be it further enacted that Consuls-General, Consuls, and Commercial Agents, not embraced in Schedules B and C, shall be entitled, as compensation for their services, to such fees as they may collect in pursuance of the provisions of this Act respectively.

No Consul, &c., embraced in Schedule B to be engaged in mercantile business.

Sec. 5. And be it further enacted, that no Consul-General, Consul, or Commercial Agent, embraced in Schedule B, shall, while he holds his office, be interested in, or transact, any business as a merchant, factor, broker, or other trader, or as a clerk or other agent for any such person to, from, or within the port, place, or limits of his Consulate, or commercial agency, directly or indirectly, either in his own name, or in the name, or through the agency, of any other person; and if appointed after this Act shall take effect, he shall, in his official bond, stipulate as a condition thereof, not to violate this prohibition; and if appointed before, and retained in office after this Act shall take effect, he shall, within such reasonable time as the President shall prescribe, enter into a new official bond with such stipulation as a condition thereof: and if any such Consul-General, Consul, or Commercial Agent, shall violate such prohibition, he shall be liable to a penalty therefor, for the use of the United States, equal in amount to the annual compensation specified for him in said Schedule B, which may be recovered in an action of debt at the suit of the United States, either directly for the penalty, as such, against such Consul-General, or Consul, or Commercial Agent, or upon his official bond, as liquidated damages, for the breach of such condition against such Consul-General, Consul, or Commercial Agent, and his sureties, or any one or more of them; and in every such case all such actions shall be open to the United States for the collection of such penalty till the same shall be collected in some one of such actions; and every such penalty, when collected, shall be paid into Treasury of the United States; and such prohibition shall be applicable to all Consuls-General, but not to any Consul or Commercial Agent not embraced in said Schedule B, except as hereinafter authorised, unless otherwise expressly provided by law.

Bond to that effect to be given.

Penalty for violation.

Interpreters for Consuls in China.

Sec. 6. And be it further enacted, that the President be, and is, hereby authorised to appoint three interpreters of the Chinese language, who shall be entitled to compensation for their services, respectively, at a rate not to exceed fifteen hundred dollars per annum, to be determined by the President, and to assign such interpreters, from time to time, to such Consulates in China, and with such duties, as he may think proper.

Consular pupils.

This section repealed 1857, ch. 37, § 2. Post, p. 160.

Their pay.

Examination of fitness.

Sec. 7. And be it further enacted, that the President be, and is, hereby authorised, whenever he shall think the public good will be promoted thereby, to appoint Consular pupils, not to exceed twenty-five in number at any one time, who shall be citizens of the United States, and entitled to compensation for their services, respectively, at a rate not to exceed one thousand dollars per annum, to be determined by the President; and to assign such pupils, from time to time, such Consulates, and with such duties, as he may [think] proper; and before the appointment of any such pupil shall be made, satisfactory evidence, by examination or otherwise, shall be furnished of his qualifications and fitness for the office to the Secretary of State, and by him laid before the President.

When compensation is to commence and cease, or be suspended.

Sec. 8. And be it further enacted, that no person appointed after this Act shall take effect to any such office as is mentioned in the first, second, third, sixth, or seventh sections of this Act, shall be entitled to compensation for his services therein, except from the time when he shall reach his post and enter upon his official duties, to the time when he shall cease to hold such office, and for such time as shall be actually and necessarily occupied in receiving his

1857, ch. 107, § 6. Post, p. 220, 1858, ch. 154, 520. Post, p. 328.

instructions, not to exceed thirty days, and in making the transit between the place of his residence, when appointed, and his post of duty, at the commencement and termination of the period of his official service, for which he shall, in all cases, be allowed and paid, except as hereinafter mentioned, and no person shall be deemed to hold any such office after his successor shall be appointed and actually enter upon the duties of his office at his post of duty, nor after his official residence at such post shall have terminated if not so relieved; but no such allowance or payment shall be made to any Consul-General, Consul, or Commercial Agent, contemplated by the fourth section of this Act, or to any Vice-Consul, Vice-Commercial Agent, Deputy-Consul, or Consular Agent, for the time so occupied in receiving instructions, or in such transit as aforesaid; nor shall any such officer as is referred to in this section be allowed compensation for the time so occupied in such transit, at the termination of the period of his official service, if he shall have resigned, or been recalled therefrom, for any malfeasance in his office.

When a Diplomatic Officer receives an added appointment, to have half the pay of the added office.

Sec. 9. And be it further enacted, that when to any diplomatic office held by any person there shall be superadded another, such person shall be allowed additional compensation for his services in such superadded office, at the rate of fifty per centum of the amount allowed by this Act for such superadded office, and such superadded office shall be deemed to continue during the time to which it is limited by the terms thereof, and for such time as shall be actually and necessarily occupied in making the transit between the two posts of duty, at the commencement and termination of the period of such superadded office so limited, and no longer,

Pay of Secretaries acting as Chargé d'Affaires.

Sec. 10. And be it further enacted, that for such time as any Secretary of Legation shall be lawfully authorised to act as Chargé d'Affaires, *ad interim*, at the post to which he shall have been appointed, he shall be entitled to receive compensation at the rate allowed by this Act for a Chargé d'Affaires at such post; but he shall not be entitled to receive, for such time, the compensation allowed for his services as Secretary of Legation.

Pay of Consular Officers performing Diplomatic functions.

Sec. 11. And be it further enacted, that for such time as any Consular Officer shall be authorised, pursuant to the provisions of this Act, to perform Diplomatic functions, in the absence of the regular Diplomatic Officer, in the country to which he shall be appointed he shall be entitled, in addition to his compensation as such Consular Officer, to receive compensation for his services while so authorised, at the rate allowed by this Act for a Secretary of Legation in such country.

When Consular Officers may exercise Diplomatic functions.

Sec. 12. And be it further enacted, that no Consular Officer shall exercise Diplomatic functions, or hold any Diplomatic correspondence or relation on the part of the United States in, with, or to, the government or country to which he shall be appointed, or any other country or government, when there shall be in such country any Officer of the United States authorised to perform Diplomatic functions therein, nor in any case, unless expressly authorised by the President so to do.

Bonds of Consuls-General, Consuls, and Commercial Agents.

Sec. 13. And be it further enacted, that every Consul-General, Consul, and Commercial Agent, appointed before, and retained in office after this Act shall take effect, shall, without unnecessary delay, and every such officer appointed after this Act shall take effect shall, before he receives his commission or enters upon the duties of his office, enter into a bond to the United States with such sureties, who shall be permanent residents of the United States, as the Secretary of State shall approve, in a penal sum not less than one thousand, and not more than ten thousand dollars, and in such form as the President shall prescribe, conditioned for the true and faithful accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property which shall come to his hands, or to the hands of any other person, to his use as such Consul-General, Consul, or Commercial Agent, under any law now or hereafter enacted; and for the true and faithful performance of all other duties now or hereafter lawfully imposed upon him as such Consul-General, Consul, or Commercial Agent; and in the cases of Consuls-General, Consuls, and Commercial Agents embraced in Schedule B, such bond shall contain, by way of further condition, the stipulation required by the fifth section of this Act; and all such bonds shall be deposited with the Secretary of the Treasury, and in no case shall the penalty of such bond be less than the annual compensation allowed to the Officer entering into such bond; and the President shall be authorised to require a new or additional bond from any such Consul-General, Consul, or Commercial Agent, in like form and in such penalty, within the limits aforesaid, in amount, as he shall prescribe, whenever, in his opinion, the public good shall require it.

New bond may be required.

President may define the limits of Consulates, &c., and appoint Vice-Consuls, &c.

Sec. 14. And be it further enacted, that the President be, and he is, hereby authorized to define the extent of country to be embraced within any Consulate or Commercial Agency, and to provide for the appointment of Vice-Consuls, Vice Commercial Agents, Deputy Consuls, and Consular Agents therein, in such manner and under such regulations as he shall deem proper; but no compensation shall be allowed for the services of any such Vice-Consul, or Vice Commercial Agent, beyond nor except out of the allowance made by this Act for the principal Consular Officer in whose place such appointment shall be made; and no Vice-Consul, Vice Commercial Agent, Deputy Consul or Consular Agent, shall be appointed otherwise than in such manner, and under such regulations as the President shall prescribe pursuant to the provisions of this Act.

Their pay to be out of the allowance of their principals.

Pay of Vice-Consuls and Vice Commercial Agents.

Pay of Consular Agents.

Sec. 15. And be it further enacted, That every Vice-Consul and Vice Commercial Agent shall be entitled, as compensation for his services as such, to the whole or so much of the compensation of the principal Consular Officer in whose place he shall be appointed, as shall be determined by the President, and the residue, if any, shall be paid to such principal Consular Officer; and every Consular Agent shall be entitled, as compensation for his services, to such fees as he may collect in pursuance of the provisions of this Act, or so much thereof as shall be determined by the President; and the principal Officer of the Consulate or Commercial Agency within the limits of which such Consular Agent shall be appointed, shall be entitled to the residue, if any, in addition to any other compensation allowed him by this Act for his services therein; and the President shall have power to subject any Consul or Commercial Agent contemplated by the fourth section of this Act, and any Vice Consul, Vice Commercial Agent, Deputy Consul or Consular Agent, to the prohibition as to trade contained in the fifth section of this Act, and to require from any of them such bond as is provided for by the thirteenth section of this Act, whenever he shall think the public interests will be promoted thereby.

President may interdict trade to any Consul, &c., or Vice-Consul, &c.

President may establish fees, &c.

To report the same annually.

Sec. 16. And be it further enacted, That the President be, and is hereby, authorised to prescribe, from time to time, the rates or tariffs of fees to be charged for official services, and to designate what shall be regarded as official services, besides such as are expressly declared by law, in the business of the several Legations, Consulates, and Commercial Agencies, and to adapt the same, by such differences as may be necessary or proper, to each Legation, Consulate, or Commercial Agency, and such rates or tariffs shall be reported annually to Congress; and it shall be the duty of all officers and persons connected with such Legations, Consulates, or Commercial Agencies to collect for such official services such and only such fees as may be prescribed for their respective Legations, Consulates, and Commercial Agencies; and it shall be the duty of the collectors of the several districts, whenever any clearance is granted to any ship or vessel of the United States, duly registered as such, and bound on any foreign voyage, to annex thereto, in every case, a copy of the rates or tariffs of fees which shall be allowed in pursuance of the provisions of this Act, and then in force; and it shall be the duty of all Consular Officers at all times to keep up in their offices, respectively, a copy of such rates or tariffs as shall be in force, in a conspicuous place, and subject to the examination of all persons interested therein.

Collectors to annex to clearances a copy of such tariff.

Consuls, &c., to keep a copy in their offices.

Receipts to be given for fees.

Penalty for extortion.

Sec. 17. And be it further enacted, that it shall be the duty of all Consular Officers to give receipts for all fees which shall be collected for their official services respectively, expressing the particular services for which the same were collected; and if any such Consular Officer shall collect, or knowingly allow to be collected for any such service, any other or greater fees than such as shall be allowed pursuant to the provisions of this Act for such service, he shall, besides his liability to refund the same, be liable to pay to the person by whom, or in whose behalf, the same shall be paid, treble the amount of said unlawful charge so collected, as a penalty therefor, to be recovered by such person, in any proper form of action, to and for the use of such person, besides costs of suit. And in any such case the Secretary of the Treasury is hereby authorised to retain out of the compensation of such officer, the amount of such overcharge, and of such penalty, and charge the same to such officer in account, and thereupon to refund such unlawful charge, and pay such penalty to the person entitled to the same if he shall think proper so to do.

May be off-set to compensation.

Fees to be accounted for.

Returns to be made.

Penalty for omission to collect fees.

Accounts and books of fees, how to be kept.

Sec. 18. And be it further enacted, That all fees collected at any of the Legations, or by the Consuls-General, Consuls, and Commercial Agents mentioned in Schedules B and C, and by Vice Consuls and Vice Commercial Agents appointed to perform their duties, or by any other persons in their behalf, shall be accounted to the Secretary of the Treasury, and held subject to his draft, or other directions. And all such Consuls-General, Consuls, Commercial Agents, and Consular Agents, as are allowed for their compensation the whole or any part of the fees which they may collect pursuant to the provisions of this Act, and all Vice Consuls and Vice Commercial Agents appointed to perform the duties of said Consuls-General, Consuls, and Commercial Agents as are allowed for their compensation the whole or any part of such fees as aforesaid, shall make returns of all such fees as they or any other persons in their behalf shall so collect, in such manner as the Secretary of State shall prescribe; and all such fees as shall be so collected, accounted for, and reported, shall be reported annually to Congress, with the report of the rates or tariffs of fees required by the seventeenth section of this Act, with a full list of all Consular Officers; and if any Consul-General, Consul, or Commercial Agent, mentioned in Schedules B and C, or any Vice Consul, or Vice Commercial Agent, appointed to perform the duty of any such officer mentioned in said Schedules B and C, shall omit to collect any fees which he shall be entitled to charge, pursuant to the provisions of this Act, for any official service, he shall be liable to the United States therefor, as though he had collected the same, unless, upon good cause shown therefor, the Secretary of the Treasury shall think proper to remit the same; and every Consular Officer shall number all receipts given by him for fees received for official services, in the order of their dates, beginning with number one at the commencement of the period of his service, and on the first day of January in every year thereafter. And he shall keep a book, in which he shall register all fees so received by him, in the order in which they shall be received, specifying in such register each item of service and the amount received therefor, from whom, and the dates when received, and if for any service connected with any ship or vessel, the name thereof, and indicating what items and amounts are embraced in each receipt given by him therefor, and numbering the

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same according to the number of the receipts respectively, so that the receipts and register shall correspond with each other; and he shall, in such register, specify the name of the person for whom, and the date when he shall grant, issue, or verify any passport, certify any invoice, or perform any other official service in the entry of the receipt of the fees therefor, and also number each Consular Act so receipted for with the number of such receipt and as shown by such register. And it shall be the duty of all owners, agents, consignees, masters, and commanders of ships and vessels, to whom any receipt for fees shall be given by any Consular Officer, to furnish a copy thereof to the collector of the district in which such ships and vessels shall first arrive on their return to the United States. And it shall be the duty of every collector to forward to the Secretary of the Treasury all such copies of receipts as shall have been so furnished to him, and also a statement of all certified invoices which shall come to his office, giving the dates of the certificate, and the names of the persons for whom, and of the Consular Officers by whom, the same were certified; and every consular officer, in rendering his account or report of fees received, shall furnish a full transcript of the register which he is hereby required to keep, under oath or affirmation that the same is true and correct, and that the same contains a full and accurate statement of all fees received by him, or for his use, for his official services as such Consular Officer, to the best of his knowledge, during the period for which the same shall purport to be rendered, and that such oath or affirmation may be taken before any person having authority to administer oaths and affirmations at the port or place where such Consular Officer is located. And if any such Consular Officer shall wilfully and corruptly commit perjury, in any such oath or affirmation, within the intent and meaning of any act of Congress now or hereafter made, he may be charged, proceeded against, tried, and convicted, and dealt with in the same manner, in all respects, as if such offence had been committed in the United States, before any officer duly authorised therein to administer or take such oath or affirmation, and shall be subject to the same punishment and disability therefor as are or shall be prescribed by any such Act for such offence.

Copy of receipts for fees to be delivered to Collector on return of vessels, to be forwarded to Secretary of the Treasury.

Oath to accounts.

Penalty for perjury

Absence from Post when forbidden Deductions from pay therefor.

Sec. 19. And be it further enacted, That no such officer as is mentioned in the first, second, third, fourth, sixth, or seventh sections of this Act shall, nor shall any Consular Agent, be absent from his post, or the performance of his duties, for a longer period than ten days at any one time, without the permission previously obtained of the President. And no compensation shall be allowed for the time of any such absence in any case, except cases of sickness; nor shall any Diplomatic or Consular Officer correspond in regard to the public affairs of any foreign Government with any private person, newspaper, or other periodical, or otherwise than with the proper officers of the United States, nor recommend any person, at home or abroad, for any employment of trust or profit under the Government of the country in which he is located; nor ask or accept, for himself or any other person, any present, emolument, pecuniary favour, office, or title of any kind, from any such Government.

No Diplomatic or Consular Officer to correspond with private persons on public affairs, or recommend to, or ask for, or accept, office abroad.

Pay to be in full for all services.

Sec. 20. And be it further enacted, That the compensation provided by this Act shall be in full for all the services and personal expenses which shall be rendered or incurred by the officers or persons respectively for whom such compensation is provided of whatever nature or kind such services or personal expenses may be, or by whatever Treaty, law, or instructions such services or personal expenses so rendered or incurred are or shall be required; and no allowance, other than such as is provided by this Act, shall be made in any case for the outfit or return home of any such officer or person; and no Consular Officer shall, nor shall any person under any Consular Officer, make any charge, or receive, directly or indirectly, any compensation, by way of commission or otherwise, for receiving or disbursing the wages or extra wages to which any seaman or mariner shall be entitled who shall be discharged in any foreign country, or for any money advanced to any such seaman or mariner who shall seek relief from any Consulate or Commercial Agency; nor shall any Consular Officer, or any person under any Consular Officer, be interested, directly or indirectly, in any profit derived from clothing, boarding, or otherwise supplying or sending home any such seaman or mariner: Provided, that such prohibition as to profit shall not be construed to relieve or prevent any such officer who shall be the owner or otherwise interested in any ship or vessel of the United States from transporting in such ship or vessel any such seaman or mariner, or from receiving or being interested in such reasonable allowance as may be made for such transportation, under and by virtue of the fourth section of the Act entitled "An Act supplementary to the Act concerning Consuls and Vice-Consuls, and for the further Protection of American Seamen," approved February twenty-eighth, eighteen hundred and three.

Commissions on wages, or being interested in boarding or supplying sailors, forbidden.

Proviso.

1803, ch. 9. Vol. ii. p. 203.

Provisions as to those holding office who are not citizens.

Sec. 21. And be it further enacted, That no compensation provided by this Act for any such officer as is mentioned in the first section of this Act, or for any Assistant Secretary of Legation, or for any such officer as is mentioned in Schedules B and C of the third section of this Act, or any appropriation therefor, shall be applicable to the payment of the compensation of any person appointed to or holding any such office after this Act shall take effect, who shall not be a citizen of the United States; nor shall any other compensation be allowed in any such case.

Stationery and contingencies for the Legations, Consulates, and Agencies to be provided.

Sec. 22. And be it further enacted, That the President be, and is hereby, authorised to provide, at the public expense, all such stationery, blanks, record and other books, seals, presses, flags, and signs, as he shall think necessary for the several Legations, Consulates, and Commercial Agencies in the transaction of their business; and whenever he shall think there

there is sufficient reason therefor, to allow Consuls-General, Consuls, and Commercial Agents, who are not allowed to trade, actual expenses of office rent, not to exceed, in any case, ten per centum of the amount of the annual compensation allowed to such officer, and to prescribe such regulations, and make and issue such orders and instructions, not inconsistent with the constitution or any law of the United States, in relation to the duties of all Diplomatic and Consular Officers, the transaction of their business, the rendering of accounts and return(e)s, the payment of compensation, the safe-keeping of the archives, and public property in the hands of all such officers, the communication of information, and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce, from time to time, as he may think conducive to the public interests; and it shall be the duty of all such officers to conform to such regulations, orders, and instructions; and it shall be the duty of the Secretary of State to publish official notifications, from time to time, of such commercial information communicated to him by such Diplomatic and Consular Officers, as he may deem important to the public interests, in such newspapers, not to exceed three in number, as he may select, and to report to Congress, at least once in each year, a synopsis of so much of the information on all subjects which shall be so communicated to him, as he may deem valuable for public information.

President may prescribe rules as to transaction of business.

1856, ch. 170.

Post, p. 139

Secretary of State to publish commercial information.

Sec. 23. And be it further enacted, That the Secretary of State shall be authorised to grant and issue passports, and cause passports to be granted, issued, and verified in foreign countries by such Diplomatic or Consular Officers of the United States, and under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other person shall grant, issue, or verify any such passport; nor shall any passport be granted or issued to, or verified for, any other persons than citizens of the United States; nor shall any charge be made for granting, issuing, or verifying any passport except in a foreign country; and in any case the fee allowed therefor shall not exceed the sum of one dollar, nor shall any such charge be made for more than one such verification in any foreign country; and if any person acting, or claiming to act, in any office or capacity, under the United States, or any of the States of the United States, who shall not be lawfully authorised so to do, shall grant, issue, or verify any passport, or other instrument in the nature of a passport, to or for any citizen of the United States, or to or for any person claiming to be or designated as such in such passport or verification, or if any Consular Officer who shall be authorised to grant, issue, or verify passports, shall knowingly and wilfully grant, issue, or verify any such passport to or for any person not a citizen of the United States, the person so offending shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof shall be imprisoned not exceeding one year, or fined in a sum not to exceed five hundred dollars, or both, and may be charged, proceeded against, tried, convicted, and dealt with therefor in the district where he may be arrested or in custody; and it shall be the duty of all persons who shall be authorised, pursuant to the provisions of this Act, to grant, issue, or verify passports, to make return of the same to the Secretary of State, in such manner and as often as he shall require; and such returns shall specify the names and all other particulars of the persons to whom the same shall be granted, issued, or verified, as embraced in such passport: Provided, that in any country where a Legation of the United States is established, no person other than the Diplomatic Representative of the United States at such place shall be permitted to grant or issue any passport except in the absence therefrom of such Representative.

Passports.

Sec. 24. And be it further enacted, That every Secretary of Legation and Consular Officer is hereby authorized, whenever he shall be required or may deem it necessary or proper so to do, at the post, port, place, or within the limits of his Legation, Consulate, or Commercial Agency, to administer to or take from any person an oath, affirmation, affidavit, or deposition, and also to perform any notarial act or acts such as any notary public is required or authorised by law to do or perform within the United States; and every such oath, affirmation, affidavit, deposition, and notarial act administered, sworn, affirmed, taken, had, or done, by or before any such officer, when certified under his hand and seal of office, shall be as good, valid, effectual, and of like force and effect within the United States, to all intents and purposes, as if such oath, affirmation, affidavit, deposition, or notarial act had been administered, sworn, affirmed, taken, had, or done, by or before any other person within the United States duly authorized and competent thereto; and if any person shall wilfully and corruptly commit perjury, or by any means procure any person to commit perjury in any such oath, affirmation, affidavit, or deposition, within the intent and meaning of any Act of Congress now or hereafter made, such offender may be charged, proceeded against, tried, convicted, and dealt with in any district of the United States in the same manner, in all respects, as if such offence had been committed in the United States, before any officer duly authorised therein to administer or take such oath, affirmation, affidavit, or deposition, and shall be subject to the same punishment and disability therefor as are or shall be prescribed by any such Act for such offence; and any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal and signature of the officer administering or taking the same in testimony thereof, shall be admitted in evidence without proof of any such seal or signature being genuine or of the official character of such person; and if any person shall forge any such seal or signature, or shall tender in evidence any such document with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit, he shall be deemed and taken to be guilty of a misdemeanor, and on conviction shall be imprisoned not exceeding three years nor less than one year, and fined in

Secretaries of Legation and Consular Officers may administer oaths, and act as notaries.

Penalty for perjury in such oaths.

Evidence of the taking of the oath.

Penalty for forging certificates of oaths.

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in a sum not to exceed three thousand dollars, and may be charged, proceeded against, tried, convicted, and dealt with, therefor, in the district where he may be arrested or in custody.

Provisions in case of desertion of seamen.

Sec. 25. And be it further enacted, That whenever any seaman or mariner of any vessel of the United States shall desert such vessel, the master or commander of such vessel shall note the fact and date of such desertion on the list of the crew, and the same shall be officially authenticated at the port or place of the Consulate or Commercial Agency first visited by such vessel after such desertion, if such desertion shall have occurred in a foreign country, or if in such case such vessel shall not visit any place where there shall be any Consulate or Commercial Agency before her return to the United States, or the desertion shall have occurred in this country, the fact and time of such desertion shall be officially authenticated before a notary public immediately at the first port or place where such vessel shall arrive after such desertion; and all wages that may be due to such seaman or mariner, and whatever interest he may have in the cargo of such vessel, shall be forfeited to and become the property of the United States, and paid over for their use to the collector of the port where the crew of such vessel are accounted for as soon as the same can be ascertained: first deducting therefrom any expense which may necessarily have been incurred on account of such vessel in consequence of such desertion; and settling the account of such wages or interest no allowance or deduction shall be made except for moneys actually paid, or goods at a fair price supplied, or expenses incurred to or for such seaman or mariner, any receipt or voucher from or arrangement with such seaman or mariner to the contrary notwithstanding.

Provision for the case of the discharge of seamen abroad.

Sec. 26. And be it further enacted, That upon the application of any seaman or mariner for a discharge, if it shall appear to the Consular Officer that he is entitled to his discharge under any Act of Congress, or according to the general principles or usages of maritime law, as recognised in the United States, he shall discharge such seaman or mariner, and shall require from the master or commander of the ship or vessel from which such discharge shall be made, the payment of three months' extra wages, as provided by the Act hereinbefore mentioned, approved February twenty-eight, eighteen hundred and three; and it shall be the duty of such master or commander to pay the same, and no such payment or any part thereof shall be remitted in any case, except such as are mentioned in the proviso of the ninth clause of the Act entitled "An Act in addition to the several Acts regulating the Shipment and Discharge of Seamen and the Duties of Consuls," approved July twentieth, eighteen hundred and forty, and as hereinafter provided; and the extra wages required to be paid by the said ninth clause of the last hereinbefore mentioned Act, and by this section shall be applicable to the same purposes and in the same manner as is directed by the said Act approved February twenty-eighth, eighteen hundred and three, in regard to the extra wages required to be paid thereby; and if any Consular Officer, when discharging any seaman or mariner, shall neglect to require the payment of and collect the extra wages required to be paid in the case of the discharge of any seaman or mariner, by either of the said Acts, as far as they shall remain in force under this Act or by this Act, he shall be accountable to the United States for the full amount of their share of such wages, and to such seaman or mariner to the full amount of his share thereof; and if any seaman or mariner shall, after his discharge, have incurred any expense for board or other necessaries at the port or place of his discharge before shipping again, such expense shall be paid out of the share of the three months' wages to which he shall be entitled, which shall be retained for that purpose, and the balance only paid over to him: Provided, however, that in cases of wrecked or stranded ships or vessels, or ships or vessels condemned as unfit for service, no payment of extra wages shall be required.

1803, ch. 9. Vol. ii. p. 203.

1840, ch. 48. Vol. v. p. 394.

Proviso.

List to be kept of seamen shipped or discharged, and of all vessels arriving or departing, and of their cargoes.

Sec. 27. And be it further enacted, That every Consular officer shall keep a detailed list of all seamen and mariners shipped and discharged by him, specifying their names and the names of the vessels on and from which they shall be shipped and discharged, and the payments, if any, made on account of each so discharged, and also of the number of the vessels arrived and departed, and the amounts of their registered tonnage, and the number of their seamen and mariners, and of those who are protected, and whether citizens of the United States or not, and as nearly as possible the nature and value of their cargoes, and where produced, and make returns of the same, with their accounts and other returns, to the Secretary of the Treasury; and no Consular officer shall certify any invoice unless he shall be satisfied that the person making the oath or affirmation thereto is the person he represents himself to be, that he is a credible person, and that the statements made under such oath or affirmation are true; and he shall, thereupon, by his certificate, state that he was so satisfied; and it shall be the duty of every Consular officer to furnish to the Secretary of the Treasury, as often as shall be required, the prices current of all articles of merchandise usually exported to the United States from the port or place in which he shall be located.

Prices current to be furnished.

Masters, &c., of ships obliged to apply to said officers when he has occasion for any of said services.

Sec. 28. And be it further enacted, That it shall be the duty of every master and commander of a ship or vessel of the United States, whenever he shall have occasion for any Consular or other official service, which any Consular officer of the United States shall be authorised by law or usage officially to perform, and for which any fees shall be allowed by the said rates or tariffs of fees as aforesaid, to apply to such one of the said officers as may then be officially located at the Consulate or Commercial Agency, if any there be where such service shall be required, to perform such service, and such master or commander shall pay to such officer such fees as shall be allowed for such service, in pursuance

ance of the provisions of this Act; and if any such master or commander shall omit so to do, he shall be liable to the United States for the amount of the fees lawfully chargeable for such services, as though the said services had been performed by such officer; and all Consular officers are hereby authorized and required to retain in their possession all the papers of such ships and vessels which shall be deposited with them as directed by law, till payment shall be made of all demands and wages on account of such ships and vessels.

Papers may be detained till payment of fees.

Duties of Consular Officers when citizens die abroad.

Sec. 29. And be it further enacted, That if any citizen of the United States who shall die abroad shall, by any lawful testamentary disposition, leave special directions for the custody and management, by the Consular officer of the port or place where he shall die, of the personal property of which he shall die possessed in such country, as contemplated by the Act entitled "An Act concerning Consuls and Vice-Consuls," approved April fourteenth, seventeen hundred and ninety-two, it shall be the duty of such officer, so far as the law of such country will permit, strictly to observe such directions; and if any such citizen so dying shall, by any lawful testamentary disposition, have appointed any other person or persons than such officer to take charge of and manage such property, it shall be the duty of such officer, whenever required by such person or persons so appointed, to give his official aid in whatever way may be necessary to facilitate the proceedings of such person or persons in the lawful execution of such trust; and, so far as the laws of the country permit, to protect the property of the deceased from any interference of the local authorities of the country where such citizen shall die; and to this end it shall be the duty of such Consular officer to place his official seal upon all or any of the personal property or effects, of the deceased, and to break and remove such seal as may be required by such person or persons, and not otherwise.

1792, ch. 24, s. 2. Vol. i, p. 255.

Fees, in what coinage payable.

Sec. 30. And be it further enacted, That all fees collected for and in the behalf of the United States, in pursuance of this Act, shall be collected in the coin of the United States, or as its representative value in exchange.

Construction of former Acts about Consular Officers.

Sec. 31. And be it further enacted, That in the construction and for the purpose of all other Acts and parts of Acts which shall remain in force after this Act shall take effect, defining any of the powers, declaring any of the rights, prescribing any of the duties, or imposing any penalty or punishment for any act of omission or commission of any Consul, Commercial Agent, Vice-Consul, or Vice-Commercial Agent, or allowing or enjoining the performance of any act, matter, or thing, with or before any such officer, all such Acts and parts of Acts shall in all these several respects, so far as may be consistent with the subject-matter and context of the same and with this Act and the Treaties of the United States, be deemed and taken to include and apply to all Consular officers as though all such officers were specially named therein; and the said official designations in contemplation of all such Acts and parts of Acts, and of this Act, shall be deemed and taken to have the respective meanings hereinafter assigned to them; that is to say, "Consul-General," "Consul," and "Commercial Agent," shall be deemed and taken to denote full, principal, and permanent "Consular officers," as distinguished from subordinates and substitutes; "Deputy Consul" and "Consular Agent" shall be deemed and taken to denote "Consular officers" subordinate to such principals, exercising the powers and performing the duties within the limits of their Consulates or Commercial Agencies respectively, the former at the same ports or places, and the latter at ports or places different from those at which such principals are located respectively; and "Vice-Consuls" and "Vice-Commercial Agents" shall be deemed and taken to denote "Consular officers," who shall be substituted temporarily to fill the places of "Consuls-General," "Consuls," or "Commercial Agents," when they shall be temporarily absent or relieved from duty; and the term "Consular officer," as used in this Act, shall be deemed and taken to include all such officers as are mentioned in this section, and none others; and the term "Diplomatic officer," as used in this Act, shall be deemed and taken to include all the officers mentioned in the first section of this Act, and none others.

Meaning of titles of Consular Officers.

Penalties on Consular Officers for violation or neglect of duty.

Sec. 32. And be it further enacted, That if any Consular officer shall wilfully neglect or omit to perform seasonably any duty imposed upon him by this or any other Act, or by any order or instruction made or given in pursuance of this or any other Act, or shall be guilty of any wilful malfeasance or abuse of power, or any corrupt conduct in his office, he shall be liable to all persons injured by any such neglect, or omission, malfeasance, abuse, or corrupt conduct, for all damages occasioned thereby; and for all such damages by any such officer, he, and his sureties upon his official bond, shall be responsible thereon to the full amount of the penalty thereof, to be sued in the name of the United States for the use of the person or persons so injured; provided that such suit shall in no case prejudice, but shall be held in entire subordination to the interests, claims, and demands of the United States, as against such officer, under such bond, for every wilful act of malfeasance or corrupt conduct in his office; and if any such officer shall refuse to pay any draft, order, or warrant which may be drawn upon him by the proper officer of the Treasury Department for any public moneys of the United States in his hands, or for any amount due from him to the United States, whatever the capacity in which he may have received or may hold the same, or to transfer or disburse any such moneys promptly upon the legal requirement of any authorised officer of the United States, he shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not to exceed ten years nor less than one year, or by fine not to exceed two thousand dollars nor less than two hundred dollars, or both, at the discretion of the Court; and any such officer so offend-

Appendix, No. 7.

ing may be charged, proceeded against, tried, convicted, and dealt with in any district in which he may be arrested or in custody.

Repeal of certain specified parts of Acts and of all inconsistent Acts.

1840, ch. 48. Vol. v. p. 394. 1855, ch. 133. Vol. x. p 619.

Sec. 33. And be it further enacted, That the fifth, sixth, and seventh sections of the Act hereinbefore mentioned, approved July twentieth, eighteen hundred and forty, and all of the Act entitled "An Act to remodel the Diplomatic and Consular Systems of the United States," approved March first, eighteen hundred and fifty-five, and all Acts and parts of Acts whereby any such fees as are contemplated by the seventeenth section of this Act are fixed or allowed, and any usage or law whereby any Attaché is or may be allowed to any Legation other than such as are provided in this Act, or requiring any Secretary of Legation to be employed otherwise than as provided by this Act, and all other Acts and parts of Acts, so far as the same are inconsistent with this Act, be and the same are hereby annulled and repealed; and no Attaché shall be allowed in any case, nor any Secretary of Legation, otherwise than as provided by this Act.

Sec. 34. And be it further enacted, That this Act shall take effect on the first day of January next, and not before.

Approved, August 18th, 1856.

:NS of the UNITED STATES DIPLOMATIC and CONSULAR SERVICES, and of the FEES levied in the latter, taken from the Register of the Department of State for the Year 1869-70.

V.—UNITED STATES DIPLOMATIC SERVICE.

N.B.—*The Dollar is convertible at 4 s. 2 d.*

ountry ed.	Name.	Rank.	Residence.	Where Born.	Whence Appointed.	Date of Original Commission.	Compensation.
							Dollars.
p. and	Robert C. Kirk -	Minister Resident - -	Buenos Ayres	Ohio - -	Ohio - -	16 April 1869	7,500
- -	John Jay - -	Envoy Ex. and Min. Plenipotentiary.	Vienna - -	New York -	New York -	13 „ „	12,000
	John F. Delaphine	Secretary of Legation - -	ditto - -	ditto - -	ditto - -	21 June „	1,800
- -	J. Russel Jones -	Minister Resident - -	Brussels -	Ohio - -	Illinois - -	1 „ „	7,500
. -	Leopold Markbreit	ditto - ditto - -	Cochabamba -	Austria - -	Ohio - -	16 April „	7,500
- -	Henry T. Blow -	Envoy Ex. and Min. Plenipotentiary.	Rio de Janeiro	- - -	Missouri -	1 May „	12,000
- -	Judson Kilpatrick	Envoy Ex. and Min. Plenipotentiary.	Santiago -	New Jersey -	New Jersey -	11 Nov. 1865	10,000
- -	Frederick F. Low	Envoy Ex. and Min. Plenipotentiary.	Peking - -	- - -	California -	- - -	12,000
	S. Wells Williams	Secretary of Legation and Interpreter.	ditto - -	Massachusetts	Massachusetts	27 June 1858	5,000
- -	Stephen A. Hurlburt.	Minister Resident - -	Bogota - -	South Carolina	Illinois - -	22 April 1869	7,500
- -	Jacob B. Blair -	ditto - ditto - -	San Jose -	- - -	West Virginia	25 July 1868	7,500
- -	George H. Yeaman	ditto - ditto - -	Copenhagen -	- - -	Kentucky -	15 Aug. 1865	7,500
- -	E. Rumsey Wing -	ditto - ditto - -	Quito - -	Kentucky -	ditto - -	16 Nov. 1869	7,500
- -	Elihu B. Washburne.	Envoy Ex. and Minister Resident	Paris - -	Maine - -	Illinois - -	17 Mar. „	17,500
	Wickham Hoffman	Secretary of Legation - -	ditto - -	New York -	Louisiana -	22 „ 1865	2,625
	Frank Moore -	Assistant Secretary of Legation.	ditto - -	N. Hampshire	New York -	17 „ 1869	2,000
- -	John Lothrop Motley.	Envoy Ex. and Min. Plenipotentiary.	London - -	Massachusetts	Massachusetts	13 April „	17,500
	Benjamin Moran -	Secretary of Legation - -	ditto - -	Pennsylvania -	Pennsylvania	29 July 1864	2,625
		Assistant Secretary of Legation.	ditto - -	- - -	- - -	- - -	2,000
- -	C. K. Tuckerman -	Minister Resident - -	Athens - -	New York -	New York -	11 Mar. 1868	7,500
- -	Silas A. Hudson -	ditto - ditto - -	Guatemala -	Kentucky -	Iowa - -	- - -	7,500
nds -	Henry A. Peirce -	ditto - ditto - -	Honolulu -	Massachusetts	Massachusetts	10 May 1869	7,500
- -	E. D. Bassett -	Minister Resident and Consul General.	Port au Prince	Connecticut -	Pennsylvania	16 April „	7,500
- -	Henry Baxter -	Minister Resident - -	Tegucigalpa -	New York -	Michigan - -	21 „ „	7,500
- -	George P. Marsh -	Envoy Ex. and Min. Plenipotentiary.	Florence -	Vermont -	Vermont -	20 Mar. 1861	12,000
	George W. Wurts	Secretary of Legation - -	Florence -	- - -	- - -	16 April 1869	1,800
- -	C. E. De Long -	Minister Resident - -	Yedo - -	New York -	Nevada - -	21 „ „	7,500
	A. L. C. Portman	Secretary of Legation and Interpreter.	ditto - -	- - -	New York -	27 June 1861	2,500
- -	John Seys - -	Minister Resident and Consul General.	Monrovia -	West Indies -	Ohio - -	8 Oct. 1866	4,000
- -	Thomas H. Nelson	Envoy Ex. and Min. Plenipotentiary.	Mexico - -	Kentucky -	Indiana -	16 April 1869	12,000
	J. St. Clarl Boal -	Secretary of Legation - -	ditto - -	Ohio - -	Illinois - -	21 „ 1866	1,800
- -	Hugh Ewing -	Minister Resident - -	The Hague -	ditto - -	Kansas - -	24 Sept. „	7,500
- -	Charles N. Riotte -	ditto - - - -	Leon - -	- - -	- - -	21 April 1869	7,500
an Union	George Bancroft -	Envoy Ex. and Min. Plenipotentiary.	Berlin - -	Massachusetts	New York -	14 Mar. 1867	12,000
	Alexander Bliss -	Secretary of Legation - -	ditto - -	- - -	ditto - -	10 June „	1,800
- -		Minister Resident - -	Asuncion -	- - -	- - -	- - -	7,500
- -	Alvin P. Hovey -	Envoy Ex. and Min. Plenipotentiary.	Lima - -	Indiana -	Indiana -	12 Aug. 1865	10,000
	H. M. Brent -	Secretary of Legation -	ditto - -	D. C. - -	- - -	18 Mar. 1867	1,500
- -	S. Shellabarger -	Minister Resident - -	Lisbon - -	Ohio - -	Ohio - -	21 April 1869	7,500
- -	Andrew G. Curtin	Envoy Ex. and Min. Plenipotentiary.	St. Petersburg	Pennsylvania -	Pennsylvania -	16 „ „	12,000
	Titian G. Coffey -	Secretary of Legation - -	ditto - -	ditto - -	ditto - -	21 „ „	1,800
- -	Alfred T. A. Torbert	Minister Resident - -	San Salvador -	Delaware -	Delaware -	21 „ „	7,500
- -	D. E. Sickles -	Envoy Ex. and Min. Plenipotentiary.	Madrid - -	New York -	New York -	15 May 1869	12,000
	John Hay - -	Secretary of Legation	ditto - -	- - -	Illinois -	- - -	1,800
Norway -	C. C. Andrews -	Minister Resident - -	Stockholm -	N. Hampshire	Minnesota -	3 June 1869	7,500
- -	Horace Rublee -	ditto - - - -	Berne - -	Vermont -	Wisconsin -	20 April „	7,500
- -	E. Joy Morris -	ditto - - - -	Constantinople	Pennsylvania	Pennsylvania -	8 June 1861	7,500
	John. P. Brown -	Secretary of Legation and Dragoman.	ditto - -	Ohio - -	Ohio - -	23 Sept. 1858	3,000
- -	James R. Partridge	Minister Resident - -	Caracas - -	Maryland -	Maryland -	21 April 1869	7,500
					TOTAL - - -	$	352,050
						£.	in 73,365

VI.—CONSULAR SERVICE OF THE UNITED STATES.

The Statutes of the United States classify the Consulate-General, Consulate, and Commercial Agencies into three cla 1. Those embraced in a schedule known as Schedule B, the incumbents of which receive a fixed salary and are not allow transact business. 2. Those embraced in a schedule known as Schedule C, the incumbents of which receive a fixed salary are allowed to transact business. 3. All other consulates, the incumbents of which are compensated by the fees collect their offices, and are allowed to transact business. The classification is as follows:

SCHEDULE B.

Consulates General.—Alexandria, Calcutta, Constantinople, Frankfort-on-the-Maine, Havana, Montreal, Shanghai, B Tampico, London, Paris.

Consulates.—Aix-la-Chapelle, Acapulco, Algiers, Amoy, Amsterdam, Antwerp, Aspinwall, Bankok, Basle, Barmen, Be Buenos Ayres, Bordeaux, Bremen, Brindisi, Birmingham, Boulogne, Barcelona, Cadiz, Callao, Canton, Chemnitz, Chin Ki Clifton, Coaticook, Cork, Demerara, Dundee, Elsinore, Fort Erie, Foo-Choo, Funchal, Geneva, Genoa, Gibraltar, Glas Goderich, Hakodadi, Halifax, Hamburg, Hankow, Havre, Honolulu, Hong Kong, Jerusalem, Kanagawa, Kingston (Jama Kingston in Canada, La Rochelle, Laguayra, Lahaina, Leeds, Leghorn, Leipsic, Lisbon, Liverpool, Lyons, Malaga, M Manchester, Matanzas, Marseilles, Mauritius, Melbourne, Messina, Moscow, Munich, Mahe, Nagasaki, Naples, Nassau (V Indies), New Castle, Nice, Nantes, Odessa, Oporto, Osacca, Palermo, Panama, Pernambuco, Pictou, Port Mahon, Pres Prince Edward Island, Quebec, Revel Rio de Janeiro, Rotterdam, San Juan del Sur, San Juan (Porto Rico), Saint (Canada East), Santiago de Cuba, Port Sarnia, Rome, Singapore, Smyrna, Southampton, Saint Petersburg, Santa Cruz (V Indies), Saint Thomas, Spezia, Stuttgart, Swatow, Saint Helena, Tangier, Toronto, Trieste, Trinidad de Cuba, Tripoli, T Tunstall, Turk's Island, Valparaiso, Vera Cruz, Vienna, Valencia, Winnepeg, Windsor, Yeddo, Zurich.

Commercial Agencies.—Madagascar, San Joan del Nort, Saint Domingo.

SCHEDULE C.

Consulates.—Aux Cayes, Bahia, Batavia, Bay of Islands, Cape Haytien, Candia, Cape Town, Carthagena, Ceylon, Co Cyprus, Falkland Islands, Fayal, Guayaquil, Guaymas, Maranham, Matamoras, Mexico, Montevideo, Omoa, Payta, Para, I del Norte, Piræus, Rio Grand, Saint Catherine, Saint John (Newfoundland), Santiago (Cape Verde), Stettin, Tabasco, Ta Talcahuano, Tumbez, Venice, Zanibar.

Commercial Agencies.] Amoor River, Apia, Gaboon, Saint Paul de Lonanda, Lanthala, Sabanilla.

The consulates not embraced in Schedules B and C can be ascertained by reference to the following list:

[This list exhibits all the Consulates-General, Consulates, Consular Agencies, and Commercial Agencies of the United States. The agencies u each consulate are printed in *italics*.

The compensation of salaried Consuls is limited to the amount of the salary, out of which the officer must defray the expense of clerk-hire.

The compensation of the feed Consuls is limited to $2,500, if the fees exceed that sum; but such Consuls are authorised to pay their clerks the fees received at the consulate.

The column of fees shows the amount of fees received at each consulate and agency from which returns have been made for the fiscal year en 30th June 1869.

It is the usual practice for the agent to retain one-half of the fees of the agency until the sum retained by him amounts to $1,000. This rule i universal. The Consul is entitled to retain $1,000 a year in the aggregate from the agencies under his consulate.

The column of expenses represents the amounts paid for seamen as well as the compensation of the consular officer and the proper expenses of consulate.

The amount of fees and expenses, respectively, are as reported from the Fifth Auditor's office of the Treasury Department.

The letter (*n*) indicates that the officer is a naturalised citizen, and the letter (*b*) that he is authorised to transact business.]

PLACE.	NAME.	TITLE.	Where born.	Whence appointed.	Date of Commission.	Salary.	Fees for year ending 30 June 1869.	Expens year en 30 Ju 186
ARGENTINE REPUBLIC:						*Dollars.*	*Dols. c.*	*Dols*
Buenos Ayres	Dexter E. Clapp	Consul	- - -	New York	19 April 1869	2,500	5,028 01	2,120
Colonia (*b*)	B. D. Manton	Consul	Rhode Island	Rhode Island	5 Nov. 1869	Fees.		
Montevideo (*b*)	James D. Long	Consul	Maryland	- - -	21 Mar. 1867	1,000	2,104 59	750
Rio Negro (*b*)	- - - -	Consul	- - -	- - -	- - -	Fees.		
Rosario (*b*)	S. A. Wheelwright	Consul	- - -	New York	22 Nov. 1869	Fees.		
AUSTRIA:								
Prague (*b*)	Chas. H. Royce	Consul	New York	Dist. Columbia	20 May 1869	Fees.		
Trieste	A. W. Thayer	Consul	Massachusetts	New York	1 Nov. 1864	2,000	1,40 6 96	2,179
Fiume	*L. Francovitch*	Agent.						
Vienna	P. Sidney Post	Consul	New York	Illinois	18 Jan. 1865	1,500	4,063 25	3,294
Brunn	*G. Schoeller*	Agent						
Pesth	*Joseph S. Kauser*	Agent.						
BADEN:								
Carlsruhe (*b*)	Wm. H. Young	Consul	West Virginia	Ohio	16 April 1869	Fees	- -	63
	L. W. Broadwell	Vice-Consul.						
Ludwigshafen	*S. Lederle*	Agent.						
Mannheim	*L. Stoll*	Agent.						
BARBARY STATES:								
TANGIER	John T. Robeson	Consul	- - -	Tennessee	12 Nov. 1869	3,000	137 35	4,108
Tangier	Moses Pariente	Interpreter	Morocco	Morocco	10 June 1862.			
Mogador	*Abraham Corcos*	Agent	- - -	- - -	20 June 1862.			
Casa Blanca	*M. Lansay*	Agent	- - -	- - -	22 Sep. 1862.			
Laraiche	*Mesod Abecasis*	Agent	- - -	- - -	20 June 1862.			
Mazagan	*Alfred Redman*	Agent	- - -	- - -	20 June 1862.			
Rabat	*Moses Quemb*	Agent	- - -	- - -	20 June 1862.			
Saffi	*Isaac Benzacar*	Agent	- - -	- - -	22 Sept. 1862.			

Consular Service of the United States—*continued.*

Place.	Name.	Title.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
...r States—*continued.*						*Dollars.*	*Dols. c.*	*Dols. c.*
...(*b*)	Judah S. Levy	Commercial Agent	Barbary	Morocco	18 May 1852	Fees		
...	William Porter	Consul	Maine	Louisiana	19 June 1861	3,000		3,994 81
...	G. H. Heap	ditto	Pennsylvania	Pennsylvania	14 Mar. 1867	3,000		3,743 32
...IA:								
...urg (*b*)	Gustave Jarecki (*n*)	Consul	Prussia	Pennsylvania	4 Oct. 1869	Fees	142 00	
...	G. Henry Horstman	ditto	Pennsylvania	ditto	19 April 1869	1,500	1,086 50	2,008 05
...	Francis H. Kermayer	Vice Consul.						
...berg (*b*)	Joseph C. Brand	Consul	Kentucky	Ohio	16 April 1869	Fees	6,154 03	4,393 54
...	Philip Geisse	Vice Consul.						
...rg		Agent.						
...sh Bavaria (*b*)	S. M. Vail	Consul		New York	29 Oct. 1869	Fees.		
...M:								
...rp	John Wilson	Consul	Pennsylvania	Pennsylvania	11 Nov. 1865	2,000	3,971 43	4,539 99
...ls (*b*)	Aug. L. Chetlain	ditto	Missouri	Utah	16 April 1869	Fees.		
...(*b*)	Jacob J. Gumpper	ditto		Pennsylvania	30 July 1869	ditto.		
...o	D. Levison	Vice Consul.						
...l (*b*)	M. Van J. Duclos	Consul			18 Mar. 1867	Fees.		
...rs (*b*)	C. W. Kleeberg	ditto (*n*)	Germany	Dist. Columbia	15 July 1869	ditto.		
...		Agent.						
...IA:								
...a (*b*)		Consul				500		
...z	Chas. T. Rand	Acting Consul.						
...L:								
...(*b*)	R. A. Edes	Consul	Maryland	Dist. Columbia	12 June 1865	1,000	1,213 12	1,038 00
...ju		Agent.						
...nham (*b*)	Wm. H. Evans	Consul	Ohio	Ohio	26 Mar. 1862	1,000		131 26
...(*b*)	James B. Bond	ditto			18 Mar. 1867	1,000	3,647 50	1,631 37
...hiba	Edward Burnett	Commercial Agent			11 Feb. 1867	Fees.		
...mbuco	S. G. Moffet	Consul	Maryland	Maryland	1 June 1869	2,000	1,067 17	3,235 61
...a	*R. P. Hughes*	Agent.						
...io	*J. Bortelmann*	ditto.						
...Grande (*b*)	Aaron Young, Jr.	Consul		Maine	9 May 1863	1,000	480 25	989 16
...as	*B. R. Corderro*	Agent.						
...) *Allegre*	*John McGinty*	ditto.						
...*José do Norte*	*C. M. V. Araujo*	ditto.						
...le Janeiro	James Monroe	Consul	Connecticut	Ohio	26 Sept. 1862	6,000	8,445 41	7,320 62
...tto	H. E. Milford	Vice Consul.						
...os (*u*)	Chas. F. de Vivaldi (*n*)	Consul	Sardinia	Kansas	7 Aug. 1861	Fees.		
...tto	E. L. Meade	Vice Consul.						
...atherine's (*b*)	Benjamin Lindsey	Consul	Massachusetts	Massachusetts	10 Aug. 1861	Fees.		
...SH DOMINIONS:								
...gua (*b*)	H. A. Arrindell	Commercial Agent	West	West Indies	1 Oct. 1867	Fees		20 00
...tto	E. H. Mans	Vice Commercial Agent.						
...adoes (*b*)	Robert Y. Holley*	Consul	Canada	Vermont	16 April 1869	Fees	1,555 21	255 76
...tto	D. C. Da Costa	Vice Consul.						
...urst (*b*)	Thomas Brown	Consul	Calcutta	Bathurst	18 Mar. 1837	Fees		32 30
...tto	D. W. E. Brown	Vice Consul.						
...of Islands (*b*)	W. G. Wright	Commercial Agent	United States	United States	1 Dec. 1866	1,000		240 00
...edin	*H. Driver*	Agent.						
...ganui	*C. W. Drury*	ditto.						
...ist	James Rea (*n*)	Consul	Ireland	Illinois	16 April 1869	2,000	1,048 65	3,309 40
...tto	Hugh Creighton	Vice Consul.						
...e		Commercial Agent				Fees		10 00
...itto	A. C. Prindle	Vice Commercial Agent.						
...nuda (*b*)	Chas. M. Allen	Consul	Massachusetts	New York	7 Aug. 1861	Fees	142 87	1,131 68
...itto	C. F. Allen	Vice Consul.						
...ilton	*J. T. Darrell*	Agent.						
...ingham	J. B. Gould	Consul	Massachusetts	Maine	12 May 1869	2,500		
...ester	*Jos. Barber*	Agent			16 Nov. 1869			
...bay (*b*)	C. A. Kittredge	Vice Consul				Fees	143 88	98 44
...achee, Sind	*B. F. Farnham*	Agent.						
...lford (*b*)	W. Yates Selleck	Commercial Agent	New York	Dist. Columbia	12 Oct. 1869	Fees	13,564 35	4,999 37
...itto	J. L. Raymond	Vice Commercial Agent.						
...tol		Consul				Fees	10,462 64	5,150 43
...itto	James Burrill	Vice Consul.						
...ucester	*E. L. Kendall*	Agent				—	86 00	86 00
...rcester	*T. Southall*	ditto.				—	1,570 00	1,570 00
...wham	*E. Vitter* (*y*)	ditto.						
...cutta	Geo. H. Butler	Consul General	Missouri	California	25 Oct. 1869	5,000	7,248 34	6,754 10
...itto	Chas. H. Bailey	Vice Consul General.						
...n		Agent.						
...ab	*James Dickie*	ditto.						
...sein	*J. M. Leisham*	ditto.						
...tagong	*W. Fairlie*	ditto.						
...nuda	*Stewart Hall*	ditto.						
...dmain	*W. Brooke*	ditto.						
...rgoon	*J. Halliday*	ditto.						
...e Town	Geo. Gerard (*n*)	Consul	France	Pennsylvania	21 Mar. 1867	1,000	547 55	1,275 03
...sel Bay	*E. Eager*	Agent.						

* Born of American parents residing temporarily abroad.

CONSULAR SERVICE of the United States—*continued.*

PLACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1860.	Expenses Year ending 30 June 186
BRITISH DOMINIONS—*continued.*						*Dollars.*	*Dols. c.*	*Dols*
Port Elizabeth	*J. L. Flanders*	Agent.						
Port Natal	*G. C. Cato*	ditto.						
Simonstown	*P. D. Martin*	ditto.						
Cardiff (*b*)	Harry H. Davis (*n*)	Consul	Wales	Pennsylvania	16 April 1869	Fees.		
Llanelly	*R. Dunkin*	Agent.						
Milford Haven	*A. B. Harris*	ditto.						
Newport	*J. N. Knapp*	ditto.						
Swansea	*H. Morice*	ditto.						
Ceylon (*b*)	G. W. Prescott	Commercial Agent	Massachusetts	Massachusetts	6 Nov. 1863	1,000	604 82	2,44
Colombo	R. Dawson	Vice-Commercial Agent.						
Madras	- - -	Agent.						
Charlottetown	E. P. Scammon	Consul	Maine	Ohio	4 May 1866	1,500	922 90	1,70
Bedeque	*J. C. Pope*	Agent.						
Cascumpec	- - -	ditto.						
Georgetown	*A. A. Macdonald*	ditto.						
Souris	*J. Night*	ditto.						
Clifton	W. Martin Jones	Consul	New York	New York	28 Mar. 1866	1,500	2,716 75	1,92
St. Catherine's	*D. C. Haynes*	Agent.						
Coaticook	Edward Vaughan	Consul	Vermont	N. Hampshire	16 April 1869	1,500	5,208 00	2,04
Ditto	Thos. B. Trihey	Vice-Consul.						
Stanstead	*Austin T. Foster*	Agent.						
Cork	Thos. K. King	Consul	Connecticut	Rhode Island	14 May 1869	2,000	514 72	2,66
Crookhaven	- - -	Agent.						
Waterford	*Benj. Moore*	ditto.						
Demerara	P. Figyelmesy (*n*)	Consul	Hungary	Dist. Colombia	30 Jan. 1865	2,000	2,049 62	2,38
Ditto	J. Tenjely	Vice-Consul.						
Dublin (*b*)	E. D. Neill	Consul	- -	Minnesota	16 April 1869	Fees.		
Ditto	J. Rainsford	Vice-Consul.						
Dundalk	- - -	Agent.						
Limerick	*M. R. Ryan*	ditto.						
Kingstown	- - -	ditto.						
Wexford	*J. W. Walsh*	ditto.						
Dundee	James Smith (*n*)	Consul	Scotland	Illinois	24 Feb. 1863	2,000	5,263 90	2,46
Aberdeen	*A. Brand*	Agent.						
Falmouth (*b*)	A. Fox	Consul	England	England	11 Mar. 1863	Fees	40 16	
Ditto	H. Fox	Deputy Consul.						
Scilly Islands	*T. J. Bruxton*	Agent.						
Fort Erie	Andrew C. Phillips	Consul	Maine	Maine	16 April 1869	1,500	4,420 75	2,21
Ditto	Jno. M. S. Hunter	Deputy Consul	- -	- -	23 Dec. 1869.			
Dunville	- - -	Agent.						
Port Bruce	- - -	ditto.						
Port Burwell	- - -	ditto.						
Port Colbourne	- - -	ditto.						
Port Dover	- - -	ditto.						
Port Rowan	- - -	ditto.						
Port Stanley	- - -	ditto.						
St. Thomas	- - -	ditto.						
Galway (*b*)	W. B. West	Consul	Ireland	Wisconsin	22 June 1861	Fees.		
Gaspé Basin (*b*)	E. C. Getty	ditto	- -	New York	30 July 1869	Fees.		
Gibraltar	H. J. Sprague	ditto	Massachusetts	Massachusetts	12 May 1848	1,500	694 89	1,94
Glasgow*	Isaac Jenkinson	ditto	- -	Indiana	16 April 1869	3,000	4,748 70	2,21
Ditto	Wm. Cook	Vice-Consul.						
Goderich	Thos. Allcock (*n*)	Consul	England	New York	30 Jan. 1866	1,500	1,675 78	1,77
Halifax	M. M. Jackson	ditto	New York	Wisconsin	1 Aug. 1861	2,000	3,353 35	2,96
Ditto	N. Gunnison	Vice-Consul.						
Annapolis	*W. R. Ruggles*	Agent.						
Barrington	*G. Robertson*	ditto.						
Digby	*J. C. Wade*	ditto.						
Liverpool	- - -	ditto.						
Ragged Islands	- - -	ditto.						
Shelburne	- - -	ditto.						
Windsor	*P. S. Burnham*	ditto.						
Yarmouth	*L. S. Balkam*	ditto.						
Hamilton	F. N. Blake	Consul	Maine	Kansas	16 April 1869	Fees	3,403 05	2,65
Paris	*George C. Baker*	Agent	- -	- -	18 Dec. 1869.			
Hobart Town	D. McPherson, jur.	Consul	Great Britain	Tasmania	18 Mar. 1867	Fees.		
Hong-Kong	C. N. Goulding	ditto	- -	Ohio	10 July 1869	3,500	5,616 86	5,46
Kingston (Canada)	S. B. Hance	ditto	New York	Illinois	11 Nov. 1864	1,500	1,984 55	1,67
Bellville	*J. W. Carman*	Agent.						
Gananoque	*E. E. Abbott*	ditto.						
Napanee	*H. Ralston*	ditto.						
Pictou	*R. Clapp*	ditto.						
Kingston (Jamaica)	Jas. R. Wheeler	Consul	- -	Massachusetts	12 Nov. 1869	2,000	2,032 52	2,82
Ditto	J. N. Camp	Vice-Consul.						
Black River	*J. W. Leyden*	Agent.						
Falmouth	*R. Nunes*	ditto.						
Grand Caymans	*W. Eden*	ditto.						
Montego Bay	*G. L. Phillips*	ditto.						
Old Harbour	*M. Bravo*	ditto.						
Savannah-la-Mar	*James Dougall*	ditto.						
St. Ann's Bay	*M. Solomons*	ditto.						
Leeds	F. S. Richards	Consul	Pennsylvania	Tennessee	21 April 1869	2,000	776 68	2,09
Ditto	Clark Smith	Vice-Consul.						
Hull	*H. J. Atkinson*	Agent.						
Leith (*b*)	John S. Fiske	Consul	Ohio	New York	10 Sept. 1867	Fees.	4,007 95	3,87
Ditto	Jas. Galloway	Vice-Consul.						
Liverpool †	Thos. H. Dudley	Consul	New Jersey	New Jersey	15 Oct. 1861	7,500	33,485 06	21,51

* Glasgow: first and second quarter, 1869, not received.

† Liverpool: expended, for suits against rebel vessels, $8,855. 77.

Consular Service of the United States—*continued.*

ACE.	Name.	Title.	Where born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
Dominions—*continued.*						*Dollars.*	*Dols. c.*	*Dols. c.*
ol - -	H. Wilding - -	Vice-Consul.						
aris - -	*Robert R. Jones* -	Agent.						
- - -	Freeman H. Morse	Consul-General -	Maine - -	Maine - -	16 April 1869	7,500	47,465 63	11,132 24
- - -	J. Nunn - -	Vice-Consul General.						
derry - -	Robt. C. Mack -	Consul - - -	- -	N. Hampshire	16 April 1869	Fees.		
- - -	Lyell T. Adams -	ditto - - -	- -	New York -	12 July 1869	1,500		
- - -	Wm. J. Stevens -	Vice-Consul.						
ster - -	Chas. H. Branscomb	Consul - - -	N. Hampshire	Missouri -	21 April 1869	3,000	22,328 43	
rne - -	David S. Pinnell -	ditto - - -	Virginia -	West Virginia	21 April 1869	4,000	2,739 35	5,230 84
le - -	*J. W. Smith* -	Agent.						
- - -	*H. K. Toll* - -	ditto.						
ntle - -	*T. Pope* - -	ditto.						
al - -	Wm. A. Dart -	Consul General -	New York -	New York -	16 April 1869	4,000	5,176 31	7,538 90
) - - -	T. F. Wilson -	Vice-Consul General.						
) - - -	T. F. Wilson -	Consular Clerk -	Penn - -	Penn - -	23 April 1866	1,000		
) - - -	*J. McMillen* -	Agent.						
sburg -	*G. M. Blodgett* -	ditto.						
gton - -	- - -	ditto.						
le - -	- - -	ditto.						
n's - -	*Wm. H. Calvert* -	ditto - - -	- -	- -	- -	—	3,163 82	2,383 24
Rivers -	*S. Ogden* - -	ditto.						
- - -	- - -	Consul - - -	- -	- -	- -	2,000	1,865 25	2,994 74
Turtle Bay -	*U. Saunders* -	Agent.						
Island -	*William H. Sears*	ditto.						
- - -	- - -	ditto.						
tle - -	Evan R. Jones (*n*)	Consul - - -	South Wales -	Wisconsin -	16 April 1869	1,500	1,125 00	2,026 19
) - - -	T. P. Orwin -	Vice-Consul.						
le - - -	- - -	Agent.						
artlepool -	*C. Nielson* - -	ditto.						
land - -	*James Horan* -	ditto.						
Hartlepool -	*C. Nielson* - -	ditto.						
- - -	- - -	Consul - - -	- -	- -	- -	—	992 70	1,626 00
- - -	J. R. Noonan -	Vice-Consul.						
t - -	*J. G. McKean* -	Agent.						
ay - -	*C. Archibald* -	ditto.						
Bay - -	*D. McKeen* - -	ditto.						
rough - -	*C. H. Frenchville* -	ditto.						
- - -	*F. E. Leaver* -	ditto.						
f Sydney -	*J. P. Ward* -	ditto.						
sh - -	*H. G. Pineo* -	ditto.						
y - -	*T. D. Archibald* -	ditto.						
uth (*b*) -	T. W. Fox - -	Consul - - -	England -	England -	3 Mar. 1823	Fees -	—	103 21
o - - -	H. Fox - -	Deputy Consul.						
outh - -	*R. Kingston* -	Agent.						
ney - -	*A. Carey* - -	ditto.						
- - -	*T. Renouf* - -	ditto.						
ouis - -	Nicholas Pike -	Consul - - -	Massachusetts	New York -	29 May 1866	2,500		
o - - -	F. O. Robinson -	Vice-Consul.						
arnia - -	Sam. D. Pace* -	Consul - - -	Canada - -	Michigan -	19 April 1869	1,500	1,333 50	1,660 72
o - - -	A. Hendricks -	Vice-Consul.						
tanley (*b*) -	Jos. Powell - -	Commercial Agent -	Tennessee -	Tennessee -	12 Oct. 1868	1,000	385 69	2,993 19
o - - -	G. M. Dean -	Vice Commercial Agent.						
tt - - -	Clifford S. Sims -	Consul - - -	Pennsylvania -	Arkansas -	21 April 1869	1,500	3,009 50	2,578 27
ville - -	*W. A. Schofield* -	Agent - - -	- -	- -	27 Oct. 1869			
a - - -	*Hugh Nott* - -	ditto.						
c - - -	Chas. Robinson -	Consul - - -	Vermont -	Vermont -	24 Mar. 1868	1,500	645 38	1,662 19
o - - -	- - -	Vice-Consul.						
dima - -	- - -	Agent.						
lles - -	D. Atwater - -	Consul - - -	Connecticut -	Connecticut -	23 July 1868	1,500	39 93	1,542 17
ld (*b*) - -	G. J. Abbot - -	ditto - - -	Massachusetts	Dist. Columbia	1 Aug. 1864	Fees -	17,326 62	9,658 69
o - - -	Chas. A. Branson -	Vice-Consul.						
ersfield - -	*William Haighs* -	Agent.						
gham - -	*F. G. Rawson* -	ditto.						
Leone (*b*) -	Henry Rider -	Commercial Agent -	Massachusetts	Massachusetts	24 May 1866	Fees.		
ore - -	J. G. Jewell -	Consul - - -	Penn. - -	Mass. - -	27 May 1869	2,500	1,483 17	4,179 48
to - -	Wm. B. Smith -	Vice-Consul.						
y - - -	- - -	Agent.						
mpton - -	Wm. Thomson -	Consul - - -	New York -	Dist. Columbia	22 April 1869	2,000	401 28	3,755 42
- - -	*T. Harling* - -	Agent.						
outh - -	*George Baker* -	ditto.						
outh - -	*W. Roberts* - -	ditto.						
ristopher (*b*)	E. S. Delisle -	ditto - - -	United States	St. Christopher	16 Aug. 1859	Fees.		
lena - -	Thos. Fitnam (*n*) -	Consul - - -	Ireland - -	Dist. Columbia	21 April 1869	Fees -	1,263 14	2,806 11
hn's, N.B. (*b*)	D. B. Warner -	ditto - - -	Ohio - -	Ohio - -	4 May 1866	Fees -	5,529 33	3,676 14
o - - -	C. R. Fish - -	Vice-Consul.						
am and New-le.	*R. R. Call* - -	Agent.						
ickton - -	*S. Barker* - -	ditto.						
drew's - -	*E. Dorimer* - -	ditto.						
orge - -	*George Baker* -	ditto.						
ephen's -	*Chas. H. Clark* -	ditto.						
lle - -	- - -	ditto.						
ohn's (New-ndland).	T. Molloy (*n*) -	Consul - - -	Newfoundland	New York -	18 Mar. 1867	Fees -	—	71 16
to - - -	C. Wills - -	Vice-Consul.						

* Born of American parents residing temporarily abroad.

CONSULAR SERVICE of the United States—*continued*.

PLACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Exp Year 18
BRITISH DOMINIONS—*continued*.						*Dollars.*	*Dols.* c.	Do
Cape Charles	*J. W. Dopge*	Agent.						
St. Vincent	Wm. E. Hughes	ditto.						
Sydney (*b*)	H. H. Hall	Commercial agent	New York	New York	18 Mar. 1867	Fees	133 06	
Brisbane	*John W. Barnett*	Agent.						
Newcastle	*G. Mitchell*	ditto.						
Queensland	*E. Brown*	ditto.						
Toronto	Albert D. Shaw	Consul	New York	New York	19 April 1869	1,500	4,441 70	2,7
Ditto	A. R. Falkner	Vice Consul	-	-	1 Nov. 1869.			
Cobourg	*A. M. Horton*	Agent.						
Port Hope	*L. R. Peck*	ditto.						
Trinidad (*b*)	-	Consul	-	-	-	Fees	- -	
Ditto	E. H. Fitt	Vice Consul.						
Tunstall	J. S. Runnels	Consul	N. Hampshire	Iowa	16 April 1869	1,500		
Turk's Island	J. Stewart	ditto	Maryland	Pennsylvania	31 Aug. 1869	2,000	736 78	3,31
Ditto	J. C. Crisson	Deputy Consul.						
East Harbor	*E. Jones*	Agent.						
Salt City	*Wm. H. Harrott*	ditto.						
Victoria (*b*)	Allen Francis	Consul	-	Illinois	11 Nov. 1861	Fees	- -	2,0
Windsor	George W. Swift	ditto	New York	Michigan	20 April 1860	1,500		
Chatham	*Thomas McRae*	Agent.						
Morpeth	-	ditto.						
Wallaceburg	-	ditto.						
Winnepeg	O. Malmros (*n*)	Consul	Germany	Minnesota	20 April 1869	1,500		
CHILI:								
Coquimbo (*b*)	Charles C. Greene	ditto	-	Rhode Island	21 June 1860	Fees.		
Ditto	J. Jenkins	Deputy Consul.						
Caldera	*A. Seiwertz*	Agent.						
Talcahuano (*b*)	E. D. Bruner	Consul	Maryland	Maryland	25 June 1869	1,000	635 42	6,89
Ditto	-	Vice Consul.						
Valparaiso	J. C. Caldwell	Consul	Maine	Maine	19 April 1869	3,000	3,543 14	7,01
Ditto	-	Vice Consul.						
CHINA:								
Amoy	C. W. Legendre (*n*)	Consul	France	New York	13 July 1866	3,000	807 61	4,0
Ditto	-	Vice Consul.						
Ditto	Sit Ming Cook	Interpreter	China	China	18 Nov. 1869	720		
Canton	B. P. Chenoweth	Consul	Virginia	Virginia	15 April 1869	4,000	1,561 98	5,2
Ditto	C. F. Preston	Interpreter.						
Whampoa	*H. N. Blanchard*	Agent.						
Chee Foo (*b*)	-	Consul	-	-	-	Fees	52 66	
Chin-Kiang	Eli T. Sheppard	ditto	Ohio	Ohio	19 April 1869	3,000	960 55	3,61
Ditto	-	Vice Consul.						
Ditto	George W. Lewton	Marshal	Ohio	Ohio	15 June 1869	1,000 and fees.		
Foo Chow	M. M. De Lano	Consul	New York	Colorado	20 April 1869	3,500	2,110 05	9,9
Ditto	Thomas Dunn	Vice Consul.						
Ditto	B. S. Lyman	Marshal	Vermont	New York	9 June 1862	1,000 and fees.		
Hankow	R. M. Johnson	Consul	Illinois	Missouri	16 April 1869	3,000		
Ditto	-	Vice Consul.						
Ditto	-	Marshal	-	-	-	1,000 and fees		
Kiu Kiang (*b*)	William S. Vernam	Consul	New York	New York	30 July 1869	Fees.		
New Chwang (*b*)	F. P. Knight	ditto	Massachusetts	California	5 April 1867	Fees.		
Ditto	-	Vice Consul.						
Ningpo (*b*)	E. C. Lord	Consul	New York	New York	18 Mar. 1867	Fees		
Shanghai	George F. Seward	Consul General	New York	New York	2 Sept. 1863	4,000	7,878 20	19,1
Ditto	Benj. Jenkins	Vice Consul General.						
Ditto	C. Williams	Acting Marshal	-	-	-	1,000 and fees.		
Ditto	B. Jenkins	Interpreter	-	-	24 Jan 1865	1,500		
Ditto	Burge R. Lewis	Consular Clerk	-	-	1 Oct. 1866	1,000		
Ditto	O. B. Bradford	ditto	-	Pennsylvania	27 May 1867	1,000		
Swatow	J. C. A. Wingate	Consul	N. Hampshire	N. Hampshire	14 April 1863	3,500	1,096 74	3,7
Ditto	William Ashmore	Vice Consul.						
Ditto	-	Marshal.						
Tien Tsin (*b*)	-	Consul	-	-	-	Fees.		
Ditto	J. A. T. Meadows	Vice Consul.						
UNITED STATES OF COLOMBIA:								
Aspinwall	Charles E. Perry	Consul	Massachusets	New York	16 April 1869	2,500	4,112 61	3,6
Ditto	J. A. Perry	Vice Consul.						
Bogota (*b*)	G. C. Crane	Consul	-	-	18 Mar. 1867	Fees.		
Ditto	-	Vice Consul.						
Buenaventura (*b*)	James M. Eder	Consul	-	United States	23 July 1866	Fees.		
Carthagena (*b*)	Aug. S. Hanabergh	ditto	New York	New York	8 June 1863	500	543 69	4
Medellin (*b*)	-	Commercial Agent	-	-	-	Fees.		
Panama	O. M. Long	Consul	Kentucky	Illinois	7 April 1869	3,500	1,563 51	4,0
Ditto	L. Crooker	Vice Consul.						
Quibdo (*b*)	-	Consul	-	-	-	Fees.		
Rio Hacha (*b*)	N. Danies	ditto	-	Rio Hacha	7 Mar. 1859	Fees.		
Ditto	-	Vice Consul.						
Sabanilla (*b*)	E. P. Pellet	Commercial Agent	New York	New York	11 July 1866	500	547 71	6
Santa Martha (*b*)	F. D. Garcia	ditto	-	United States	22 Mar. 1866	Fees.		
Tumaco (*b*)	-	Consul	-	-	-	Fees.		
Turbo (*b*)	-	ditto.	-	-	-	Fees.		

CONSULAR SERVICE of the United States—*continued*.

PLACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
						Dollars.	*Dols. c.*	*Dols. c.*
...ICA:								
...é (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.		
...	A. M. Baily	Vice-Consul.						
...renas	W. Dent	Agent.						
... DOMINIONS:								
...gen (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.		
...	L. A. Hecksher	Vice-Consul.						
...	C. C. Sheets	Consul	Alabama	Alabama	13 May 1869	1,500	57 43	1,769 11
...m	*T. H. Ronne*	Agent.						
...	*J. K. Bork*	ditto.						
...ckshaven	*P. C. Kall*	ditto.						
...hing	*A. C. Hustedt*	ditto.						
...	*T. H. Ronne*	ditto.						
...	*J. Nyeborg*	ditto.						
...-Fohr	*L. Heyman*	ditto.						
...ruz	E. H. Perkins	Consul	Connecticut	Pennsylvania	26 Mar. 1862	1,500	176 79	2,146 66
...	Robert A. Finley	Vice-Consul.						
...ckstadt	*W. F. Moore*	Agent.						
...mas	Clinton J. True	Consul	Tennessee	Kentucky	22 April 1869	4,000	2,586 50	7,127 21
...	E. B. Simmons	Vice-Consul.						
...ONS OF THE NETHERLANDS:								
...dam	Charles Mueller (*n*)	Consul	Saxony	Ohio	26 June 1866	1,000	975 07	1,225 36
...	A. Vinke	Vice-Consul.						
...diep	*Klass C. Van Vliet*	Agent.						
... (*b*)	S. Higginson, jun.	Consul	New York	Massachusetts	20 July 1867	1,000	1,176 34	6,215 10
...	M. P. Pels	Vice-Consul.						
...ya	*P. H. Soeters*	Agent.						
... (*b*)	Jame Faxon	Consul	Connecticut	New York	20 Aug. 1864	Fees	39 15	47 40
...	W. V. E. Horan	Vice-Consul.						
...	*W. E. Boye*	Agent.						
... (*b*)	- - -	Consul	- - -	- - -	- - -	–	–	10 00
...	A. Von Gils	Vice-Consul	- - -	- - -	- - -	Fees.		
...ribo (*b*)	H. Sawyer	Consul	Massachusetts	Massachusetts	14 June 1858	Fees	–	34 20
...iam	Fred. Schutz (*n*)	ditto	Hesse Darms'dt	New York	16 April 1869	2,000	1,787 89	2,578 71
...	A. A. Wambersie	Vice-Consul.						
...g	*J. Hector*	Agent.						
...rtin (*b*)	Charles Rey (*n*)	Consul	West Indies	New York	22 Dec. 1858	Fees	–	36 25
...tatius	*Alex. C. Martins*	Agent.						
...OR:								
...ail (*b*)	Charles Weile	Consul	Bohemia	Nevada	16 April 1869	750	499 76	862 82
...LANDS:								
...da (*b*)	J. M. Brower	Commercial Agent	- - -	- - -	11 Mar. 1869	1,000	–	6 09
...H DOMINIONS:								
... (*b*)	E. L. Kingsbury	Consul	Maine	Maine	19 Feb. 1863	1,500	131 88	1,681 72
...	R. S. Playfair	Vice-Consul.						
...ux	Chas. J. Clinch	Consul	New York	New York	16 April 1869	2,000	6,889 08	2,612 55
...	Victor Olgioti	Vice-Consul.						
...e	*Gersam Lean*	Agent.						
...ne (*b*)	J. Dela Montagnie	Consul	New York	New York	25 Sept. 1865	1,500	123 00	1,659 61
...	Jos. Fontaine	Vice Consul.						
...	*J. P. Vendroux*	Agent.						
...e (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.		
...	- - -	Vice-Consul.						
... (*b*)	Aug. Perrot	Commercial Agent	New York	Pennsylvania	23 April 1866	1,000	46 98	
...	W. R. Brown	Vice Commercial Agent.						
...oupe (*b*)	H. Thionville	Consul	Guadeloupe	Guadeloupe	18 May 1864	Fees.		
...Terre	*A. Lacour*	Agent.						
...	S. L. Glasgow	Consul	Ohio	Iowa	16 April 1869	6,000	5,639 07	8,748 76
...	J. Hunt	Vice-Consul.						
...	*J. M. Kerros*	Agent.						
...urg	*E. Liais*	ditto.						
...	*J. Levert*	ditto.						
...k	*H. Lematire*	ditto.						
...ur	*C. Wagner*	ditto.						
...x	*M. Alexandre*	ditto.						
...	*Louis Guebert*	ditto.						
...lo	- - -	ditto.						
...lery	- - -	ditto.						
...chelle	Thomas P. Smith	Consul	Massachusetts	Massachusetts	11 Mar. 1865	1,500	331 00	1,771 84
...	*A. Matuski*	Agent.						
...-Re	*E. L. Roullet*	ditto.						
...emblade	*M. Robineau*	ditto.						
...es	*F. Berthet*	ditto.						
...ort	*A. G. Brellunin*	ditto.						
...-l'Olonnes	- - -	ditto.						
...	P. J. Osterhaus (*n*)	Consul	Prussia	Maine	18 June 1866	2,000	9,405 50	5,016 05
...	- - -	Deputy-Consul.						
...	L. W. Viollier (*n*)	Consular Clerk	Switzerland	New York	4 Oct. 1864	1,000		
...ienne	*Geo. Bechtel*	Agent.						
...illes	Milton M. Price	Consul	Pensylvania	Iowa	16 April 1869	2,500	4,463 84	3,804 82
...	John S. Martin	Vice-Consul.						
...	*L. S. Nahmens*	Agent.						

Consular Service of the United States—*continued.*

Place.	Name.	Title.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses Year ending 30 June 1869
French Dominions—*continued.*						*Dollars.*	*Dols. c.*	*Dols.*
Toulon	*J. Georges Plattner*	Agent.						
Martinique (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.		
Ditto	H. David	Vice-Consul.						
Nantes	Benj. Gerrish, jun.	Consul	N. Hampshire	N. Hampshire	25 July 1868	1,500	2,950 00	1,382
Ditto	J. Dedichen	Vice-Consul.						
L'Orient	- - -	Agent.						
St. Nazaire	*J. Van Duym*	ditto						
Nice	Asa O. Aldis	Consul	Vermont	Vermont	15 Sept. 1865	1,500	398 00	1,681
Ditto	J. Meyhoffer	Vice-Consul.						
Mentone	*N. Viale*	Agent.						
Paris	J. Meredith Read, jun	Consul General	Pennsylvania	New York	16 April 1869	5,000	36,415 00	10,833
Ditto	Franklin Olcott	Vice-Consul General.						
Ditto	Wm. Heine	Consular Clerk	- - -	Dist. Columbia	11 April 1866	1,000		
Ditto	Franklin Olcott	ditto	New York	New York	7 Nov. 1866	1,000		
Reims (*b*)	A. Gouverneur Gill	Consul	New York	New York	1 Mar. 1867	Fees.	- -	155
Ditto	T. Griffen	Deputy Consul.						
St. Pierre, Miquelon (*b*)	J. P. Frecker	Commercial Agent	Canada	St. Pierre	7 May 1864	Fees.		
Ditto	W. F. McLaughlin	Vice-Commercial Agent						
Strasbourg	C. M. F. Petard (*n*)	Consul	France	Georgia	10 Aug. 1869	Fees.	- -	68
Ditto	T. Krüger	Deputy Consul.						
Mulhouse	*August Strohl*	Agent.						
FRIENDLY AND NAVIGATORS' ISLANDS:								
Apia (*b*)	Jonas M. Coe	Commercial Agent	New York	California	9 Mar. 1864	1,000	130 45	2,257
Tutuilla	*T. Meredith*	Vice-Commercial Agent						
GREECE:								
Athens (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.		
Patras	*T. Calloyeraky*	Agent.						
Syra	*E. Sapanzachi*	ditto						
Piræus (*b*)	Robert P. Keep	Consul	Connecticut	Connecticut	16 April 1869	1,000		
Ditto	Geo. Constantine	Vice Consul.						
Zante (*b*)	A. S. York	Consul	Zante	Zante	22 May 1853	Fees.	- -	68
Corfu	*T. Woodley*	Agent.						
St. Maura	- - -	ditto						
GUATEMALA:								
Guatemala (*b*)	Edward Uhl	Consul	New York	New York	22 Nov. 1866	Fees.		
San José de Guatemala	*G. F. Willemsen*	Vice-Consul.						
HAWAIIAN ISLANDS:								
Hilo (*b*)	- - -	Consul	- - -	- - -	- - -	Fees.	72 00	54
Ditto	J. Worth	Vice-Consul.						
Honolulu	T. Adamson, jun.	Consul	Pennsylvania	Pennsylvania	1 June 1869	4,000	14,350 78	10,410
Ditto	- - -	Vice-Consul.						
Lahaina	H. H. Houghton	Consul	Illinois	Illinois	9 April 1869	3,000	233 76	2,430
Ditto	W. G. Needham	Vice-Consul.						
HAYTI:								
Aux Cayes (*b*)	Wm. A. Gould	Consul	New York	New York	22 Oct. 1869	500	143 00	445
Ditto	- - -	Vice-Consul.						
Jeremie	*J. Vigoreaux*	Agent.						
Cape Haytien (*b*)	- - -	Consul	- - -	- - -	- - -	1,000	910 73	1,778
Ditto	A. Crosswell	Vice-Consul.						
Gonaives	*A. Hilchenbach*	Agent.						
St. Marc (*b*)	Fred. W. Clapp	Commercial Agent	- - -	Boston	- - -	Fees.		
HESSE DARMSTADT:								
Darmstadt	Aaron Seeley	Consul	Connecticut	New York	21 April 1869	Fees.		
HONDURAS:								
Comayagua and Tegucigalpa (*b*).	Wm. C. Burchard	Consul	New York	New York	2 Oct. 1860	Fees.		
Omoa and Truxillo (*b*)	Chas. R. Follin	ditto	- - -	- - -	28 July 1863	1,000	85 20	1,000
ITALY:								
Ancona (*b*)	Orrin J. Rose	Consul	- - -	Illinois	12 Nov. 1869	Fees.	10 00	
Ditto	A. P. Tomassini	Vice-Consul.						
Brindisi	James Riley Weaver	Consul	Pennsylvania	West Virginia	10 July 1869	1,500	- -	1,699
Ditto	Theo. Titi	Vice-Consul.						
Gallipoli	*C. Clauson*	Agent.						
Carrara (*b*)	F. Torrey	Consul	Massachusetts	Massachusetts	29 Feb. 1864	Fees.	- -	57
Ditto	C Pollina	Vice-Consul.						
Florence	J. Lorimer Graham, jr	Consul General	- - -	New York	1 June 1869	Fees.	- -	422
Ditto	J. C. Matteini	Vice-Consul General.						
Cagliari	*E. Pernis*	Agent.						
Milan	*W. Clark*	ditto						
Turin	*William Magoun*	ditto.						
Genoa	O. M. Spencer	Consul	Iowa	Iowa	21 Mar. 1866	1,500	1,356 68	1,934
Ditto	J. Valerio	Vice-Consul.						
Leghorn	Jay T. Howard	Consul	New York	Pennsylvania	21 April 1869	1,500	1,713 00	2,078
Messina	F. W. Behn (*n*)	ditto	Germany	Kentucky	18 Mar. 1867	1,500	2,462 94	1,959
Ditto	- - -	Vice-Consul.						

CONSULAR SERVICE of the United States—*continued.*

LACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
ontinued.						*Dollars.*	*Dols. c.*	*Dols. c.*
ia	*A. Peratoner*	Agent.						
	L. Giffoni	ditto.						
e	*N. Stelle*	ditto.						
	B. Odell Duncan	Consul	South Carolina	South Carolina	1 June 1869	1,500	1,950 68	3,856 90
	Robert Rogers	Vice-Consul.						
mare	*Antonia De Lucca*	Agent.						
(*b*)	William M. Mayo	Consul			8 April 1867	Fees.		
	L. Monti (*n*)	ditto	Italy	Massachusetts	3 Aug. 1861	1,500	1,796 95	2,101 75
ti	*L. Granet*	Agent.						
	L. Saito	ditto.						
a	*J. D. Hore*	ditto.						
ti	*L. Marrone*	ditto.						
a (*b*)	J. Reichard	Consul		Pennsylvania	13 April 1867	Fees.		
	William T. Rice	ditto	Massachusetts	Massachusetts	31 July 1861	1,500	30 50	1,799 24
(*b*)		ditto				Fees.		
(*b*)	A. Jourdan (*n*)	ditto	France	Pennsylvania	19 April 1869	750	418 06	1,111 48
	John Harris	Vice-Consul.						
adi	E. E. Rice	Consul	United States	Maine	18 Jan 1865	2,500		
	N. E. Rice	Vice-Consul.						
gata	*N. E. Rice*	Agent.						
		ditto.						
awa	Lemuel Lyon	Consul	Massachusetts	Oregon	16 April 1869	3,000	4,684 88	5,063 77
	James Harris	Deputy Consul.						
	H. W. Denison	Marshal	Vermont	Dist. Colombia	22 May 1869	1,000 and fees.		
	W. H. Doyle	Interpreter			1 Jan. 1869	1,000		
aki	W. P. Mangum	Consul	North Carolina	North Carolina	18 Mar. 1865	3,000	1,727 34	4,709 10
	D. L. Moore	Vice-Consul.						
	L. M. Dent	Acting Marshal				1,000 and fees.		
and Hiogo	T. Scott Stewart	Consul	Pennsylvania	Pennsylvania	10 Feb. 1868	3,000	1,439 63	2,612 91
	Charles O. Shepard	ditto	New York	New York	16 April 1869	3,000		
	A. L. C. Portman	Interpreter		ditto	27 June 1861	2,500		
IA:								
Bassa	L. F. Richardson	Commercial Agent	Maine	New York	28 Feb. 1868	Fees.		
ovia	John Seys	Consul General	West Indies	Ohio	8 Oct. 1866	4,000		691 44
GASCAR:								
ave	J. P. Finkelmeier	Commercial Agent		New Jersey	13 Feb. 1866	2,000	28 42	2,568 16
O:								
alco	J. A. Sutter, junr.	Commercial Agent.			22 July 1868	2,000	893 34	2,889 34
to	H. N. Bellows	Vice-Commercial Agent						
Calientes (*b*)	M. Metcalf	Consul	New York	Michigan	24 April 1862	Fees.		
eachy (*b*)		ditto				Fees.		
ahua (*b*)	Charles Moye (*n*)	ditto	Hanover	Mexico	18 Mar. 1867	Fees		83 18
		Vice-Consul.						
mas (*b*)	Alex. Willard	Consul	Pennsylvania	California	16 Sept. 1867	1,000	1,228 48	1,362 32
to		Vice-Consul.						
a (*b*)		Consul				Fees.		
to	M. R. Carballo	Vice-Consul.						
az (*b*)	D. Turner	Consul		California	18 April 1869	Fees.		
to		Vice-Consul.						
José	*E. Jallespie*	Agent.						
anillo (*b*)		Consul				Fees		110 50
to	A. Morrill	Vice-Consul.						
moras (*b*)	J. P. Greer	Consul	Ohio	Kansas	16 April 1869	1,000	598 08	690 60
to		Vice-Consul.						
		Agent.						
tlan (*b*)	Isaac Sisson	Commercial Agent	New York	New York	19 April 1866	Fees		20 00
la and Sisal (*b*)	R. J. y Patrullo (*n*)	Consul	Spain	ditto	26 April 1854	Fees.		
co (*b*)	Julius A. Skilton	ditto	New York	Louisiana	20 April 1869	1,000	722 34	1,484 77
ola	*A. Blumenkrau*	Agent.						
titlan (*b*)	R. C. M. Hoyt	Consul	New York	New York	10 Sept. 1862	Fees		885 74
zerey (*b*)	J. Ulrich	ditto	Pennsylvania	New Mexico	26 April 1866	Fees.		
lo	*J. H. Porter*	Agent.						
Rosa	*C. Schuchard*	ditto.						
ales (*b*)		ditto				Fees.		
a (*b*)	L. L. Lawrence	Commercial Agent			15 Oct. 1869	Fees.		
del Norte (*b*)		Consul				500	166 25	300 00
to		Vice-Consul.						
ras Negras (*b*)	W. Schuchardt (*n*)	Commercial Agent	Hesse Darms't	Texas	20 Nov. 1867	Fees.		
itto	A. Burghardt	Vice-Commercial Agent						
Blas (*b*)		Commercial Agent				Fees.		
Luis Potosi (*b*)	Julius Monreau	ditto		Texas	28 Sept. 1869	Fees.		
itto		Vice-Commercial Agent						
seo (*b*)	F. M. de Nemegyei	Consul	Hungary	Kentucky	20 July 1867	500	35 00	40 05
itto		Vice-Consul.						
pico	Franklin Chase	Consul General	Maine	Maine	13 June 1863	1,500	850 07	1,633 71
antepec (*b*)		Consul				Fees.		
a Cruz	S. T. Trowbridge	ditto		Illinois	19 April 1869	3,500	1,484 06	4,538 51
itto		Vice-Consul.						
ja	*C. L. Kennedy*	Agent.						
tecas (*b*)	G. M. Provost	Consul	Pennsylvania	Mexico	21 Mar. 1867	Fees.		
itto	A. M. Kimball	Vice-Consul.						

CONSULAR SERVICE of the United States—*continued*.

PLACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses Year ending 30 June 1869.
						Dollars.	*Dols. c.*	*Dols.*
MUSCAT:								
Zanzibar (*b*)	Francis R. Webb	Consul	Massachusetts	Massachusetts	16 April 1869	1,000	294 45	1,147
Ditto		Vice-Consul.						
NICARAGUA:								
San Juan del Norte and Punta Arenas.	B. S. Cotrell	Commercial Agent	Massachusetts	New York	26 Mar. 1861	2,000	353 20	2,108
San Juan del Sur	Rufus Mead	Consul	Vermont	Vermont	20 July 1867	2,000	149 89	1,936
Ditto		Vice-Consul.						
NORTH GERMAN UNION—PRUSSIA:								
Aix-la-Chapelle	James Park	Consul	Indiana	Indiana	21 April 1869	2,500	2,321 00	1,561
Ditto	C. E. Dahmen	Vice-Consul.						
Cologne	*G. Holscher*	Agent					2,159 50	1,454
Barmen	E. Hoechster	Consul	Germany	Illinois	6 April 1869	1,500	5,197 00	1,326
Crefeld	*Julius Magnus*	Agent					2,581 00	978
Dusseldorf	*Henry Louis*	ditto.						
Berlin (*b*)	H. Kreismann	Consul	Germany	Illinois	18 Dec. 1865	Fees	5,872 50	4,722
Bremen	Robert M. Hanson	ditto	Ohio	Ohio	16 April 1869	3,000	1,672 44	5,973
Ditto	H. Marcuse	Deputy-Consul.						
Bremerhaven (discontinued).	*F. W. Specht*	Agent					2,350 26	1,000
Brunswick	D. W. C. Sprague	Consul	New York	Connecticut	16 April 1869	Fees.		
Ditto	E. Breuill	Vice-Consul.						
Chemnitz	Henry B. Ryder (*n*)	Consul	Germany	New York	7 Mar. 1867	2,000	6,568 51	1,500
Dresden (*b*)	O. H. Irish	ditto	New York	Nebraska	1 June 1869	Fees.		
Ditto	William Knoop	Vice-Consul			27 Sept. 1869			
Frankfort	William P. Webster	Consul General		Massachusetts	19 April 1869	3,000	1,072 25	5,835
Ditto	Charles Graebe	Vice Consul General.						
Ditto	Aug. Glaser	Consular Clerk			23 Mar. 1868	1,000		
Geestemunde (*b*)	W. Colvin Brown	Consul	Ohio	New Jersey	2 Mar. 1867	Fees		72
Ditto	E. Ulrichs	Vice-Consul.						
Hamburg	E. Robinson	Consul	Massachusetts	New York	19 April 1869	2,000	7,164 76	3,743
Ditto	Jas. R. McDonald	Vice-Consul.						
Ditto	James Hand	Consular Clerk	New Jersey	New Jersey	7 Mar. 1866	1,000		
Harburg	*J. D. Westedt*	Agent.						
Ritzebuttel and Cuxhaven.	*August Bufe*	ditto.						
Leipsic	M. J. Cramer (*n*)	Consul	Switzerland	Kentucky	2 Mar. 1867	1,500	7,185 50	2,689
Ditto	Thomas McGee	Vice-Consul.						
Ditto	A. J. de Zeyk	Consular Clerk	Hungary	Iowa	7 Feb. 1866	1,000		
Lubec		Consul				Fees.		
Ditto		Vice-Consul.						
Sonneberg (*b*)	H. J. Winser (*n*)	Consul	Bermuda	New Jersey	16 April 1869	Fees.		
Stettin (*b*)	Wm. M. Coleman	ditto	Dist. Columbia	North Carolina	21 April 1869	1,000	121 18	1,016
Ditto	A. E. Wendt	Vice-Consul.						
Dantzic	*P. Collas*	Agent.						
Konisberg	*J. H. Brockman*	ditto.						
Memel	*H. Fowler*	ditto.						
Swinemunde	*A. Radman*	ditto.						
PAPAL DOMINIONS:								
Rome	D. M. Armstrong	Consul	New York	New York	16 April 1869	1,500	892 00	1,269
Ditto	Pietro Calvi	Vice-Consul.						
Civita Vecchia	*G. Marsanick*	Agent.						
PARAGUAY:								
Asuncion (*b*)		Consul				Fees.		
Arica (*b*)		ditto				Fees.		
Ditto	H. L. Bolton	Vice-Consul.						
Callao	W. D. Farrand	Consul	New York	California	14 May 1869	3,500	5,991 49	7,176
Lambayeque (*b*)	S. C. Montjoy	ditto			18 Mar. 1867	Fees		39
Ditto	George Goef	Vice-Consul.						
San José and Pimental	*A. Salf*	Agent.						
Payta (*b*)	R. M. Columbus (*n*)	Consul		New York	18 Sept. 1865	500	818 73	5,048
Ditto	I. L. Havens	Vice-Consul.						
Tumbez (*b*)	E. McB. Timoney	Consul	Louisiana	Georgia	22 Sept. 1869	500	675 10	3,841
PORTUGUESE DOMINIONS:								
Bissao (*b*)		Consul				Fees.		
Fayal (*b*)	J. C. Cover	ditto	Pennsylvania	Wisconsin	1 June 1869	750	2,373 91	11,058
Ditto	J. P. Dabney	Deputy-Consul.						
Ditto	S. W. Dabney	ditto.						
Flores	*F. J. M. Henriques*	Agent.						
Graciosa	*J. d'C. CeMello*	ditto.						
St. Jorge	*A. J. de Albergaria*	ditto.						
St. Michael	*Thomas E. Ivens*	ditto.						
Terceira	*T. de Castro*	ditto.						
Funchal	Charles A. Leas	Consul	Maryland	Maryland	15 Mar. 1865	1,500	218 64	1,700
Ditto	J. Hutchison	Vice-Consul.						
Lisbon	Henry S. Neal	Consul	Ohio	Ohio	16 April 1869	1,500	776 68	2,111
Ditto	C. F. J. Hutchens	Vice-Consul.						

CONSULAR SERVICE of the United States—*continued.*

PLACE.	NAME.	TITLE.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
						Dollars.	*Dols. c.*	*Dols. c.*
UESE DOMINIONS—*continued.*								
- - -	*T. M. Besoney* -	Agent.						
bra - -	*F. J. Lopez* - -	ditto.						
- - -	*F. L. Javarez* -	ditto.						
- - -	*J. M. Mascarenhas*	ditto.						
il - - -	*C. F. O'Neil* -	ditto.						
- - -	*J. P. de M. Falcao*	ditto.						
) (*b*) - -	- - - -	Consul - - -	- - - -	- - - -	- - - -	Fees.		
to - -	- - - -	Vice-Consul.						
mbique (*b*) -	Caleb Cooke -	Consul - - -	- - -	Massachusetts	3 Mar. 1865	Fees.		
o - - -	James C. Fletcher	ditto - - -	Indiana -	Indiana -	19 April 1869	1,500	218 16	2,036 18
to - - -	M. R. Jones - -	Vice-Consul.						
o - - -	*H. L. Feurheerd* -	Agent.						
las - -	*D. Affonço* - -	ditto.						
ha - -	*A. M. Rua* - -	ditto.						
dho de Boncas	*A. F. A. Guimares*	ditto.						
ho - -	*J. J. D'Almeida* -	ditto.						
ira - -	*C. Laidley* - -	ditto.						
- - -	*J. da C. T. Guimares*	ditto.						
- - -	*J. A. D'Almeida* -	ditto.						
d'Argas -	*F. F. Godinho* -	ditto.						
de Regra -	- - - -	ditto.						
a - - -	*F. da C. Guilherme*	ditto.						
ão da Foz -	*S. J. Vasconcellos*	ditto.						
t - - -	*J. C. da Silva Lima*	ditto.						
-do-Conde -	*J. A. de Sousa* -	ditto.						
Nova - -	*M. de Gueves* -	ditto.						
Real de San tonio.	*M. G. Roldan* -	ditto.						
ago, Cape Verde	- - -	Consul - - -	- - -	- - -	- -	750	425 02	2,285 35
tto - - -	H. J. Silva - -	Vice-Consul.						
a - - -	*J. J. Nunes* -	Agent.						
- - -	*J. C. Bubosa* -	ditto.						
- - -	*J. H. Evora* -	ditto.						
- - -	*J. J. Vera Cruz* -	ditto.						
Vincent - -	*A. I. Nobre* - -	ditto.						
aul de Loando (*b*)	A. A. Silva (*n*) -	Commercial Agent -	Brazil - -	Massachusetts	14 May 1864	1,000	- -	500 00
tto - - -	F. A. Silva - -	Vice-Commercial Agent.						
tto - - -	R. S. Newton -	ditto.						
home (*b*) -	D. L. Marsins (*n*) -	Consul - - -	Italy - -	ditto - -	12 April 1867	Fees.		
A:								
er River (*b*) -	C. L. Smith - -	Commercial Agent -	New York -	New York -	16 April 1869	1,000	130 60	1,101 70
tto - - -	H. W. Hiller -	Vice-Commercial Agent.						
angel (*b*) -	E. Brandt - -	Consul - - -	Russia - -	Russia - -	21 June 1832	Fees.		
ingfors (*b*) -	R. Frenckell -	ditto - - -	Finland -	Finland -	31 Aug. 1850	Fees -	- -	131 77
ow - - -	George T. Allen -	ditto - - -	New York -	Illinois - -	19 April 1869	2,000	20 00	2,561 84
tto - - -	S. P. Young -	Vice-Consul.						
sa - - -	T. C. Smith - -	Consul - - -	Vermont -	Vermont -	1 June 1861	2,000	91 21	2,531 52
itto - - -	James Perkins -	Vice-Consul.						
anrog - -	*A. Sedemonte* -	Agent.						
l - - -	Eugene Schuyler -	Consul - - -	New York -	New York -	24 Sept. 1869	2,000	- -	3,085 82
itto - - -	W. Mayer - -	Vice-Consul.						
t Baltic - -	*C. Kalk* - -	Agent.						
a (*b*) - -	A. Schwartz - -	Consul - - -	Russia - -	Russia - -	24 Nov. 1862	Fees.		
Petersburg -	George Pomutz (*n*)	ditto - - -	Hungary -	Iowa - -	16 Feb. 1866	2,000	703 00	2,675 25
itto - - -	J. Curtin - -	Vice-Consul.						
nstadt - -	*A. Wilkias* - -	Agent.						
borg - -	*J. Sparrow* - -	ditto.						
ADOR:								
Union (*b*) - -	John F. Flint -	Consul - - -	Pennsylvania	Pennsylvania	14 Feb. 1867	Fees.		
itto - - -	- - - -	Vice-Consul.						
Miguel - -	*L. Schlesinger* -	Agent.						
Salvador (*b*) -	E. A. Wright -	Consul - - -	ditto - -	ditto - -	14 Feb. 1867	Fees -	- -	32 00
Libertad - -	*J. Marcenaro* -	Agent.						
gonate (*b*) -	J. Mathé - -	Consul - - -	United States	United States	14 Feb. 1867	Fees.		
DOMINGO:								
Domingo - -	Raymond H. Perry	Commercial Agent -	Rhode Island	Rhode Island	20 Oct. 1869	1,500	185 14	1,808 12
rto Plata - -	W. Lithgow -	Vice-Commercial Agent.						
:								
gkok - -	F. W. Partridge -	Consul - - -	Vermont -	Illinois - -	16 April 1869	3,000	109 39	3,357 14
itto - - -	N. A. McDonald -	Vice-Consul - -	Pennsylvania.					
itto - - -	- - -	Marshal.	- - -	- - -	- - -	500		
itto - - -	N. A. McDonald -	Interpreter - -	Pennsylvania -	- - -	20 July 1867			
ETY ISLANDS:								
iti (*b*) - -	F. A. Perkins -	Consul - - -	- - -	Connecticut -	25 July 1868	1,000	656 92	6,717 38
ISH DOMINIONS:								
ante (*b*) - -	William L. Giro -	Consul - - -	- - -	Spain - -	20 Jan. 1853	Fees.		
celona - -	Charles A. Perkins	ditto - - -	Connecticut -	Connecticut -	19 April 1869	1,500	908 82	2,199 49

Consular Service of the United States—*continued.*

Place.	Name.	Title.	Where Born.	Whence Appointed.	Date of Commission.	Salary.	Fees for Year ending 30 June 1869.	Expenses Year ending 30 June 1869.
Spanish Dominions—*continued.*						*Dollars.*	*Dols. c.*	*Dols. c.*
Barcelona	M. Casajemas	Vice-Consul.						
Tarragona	*A. Muller*	Agent.						
Bilbao (*b*)	L. Dahl (*n*)	Consul	Norway	United States	18 Mar. 1867	Fees.		
Ditto	Ed. Aznar	Vice-Consul.						
Cadiz	A. N. Duffie	Consul		Rhode Island	21 April 1869	1,500	1,273 30	2,54
Ditto	C. Younger	Vice-Consul.						
Huelva	*M. Zafra*	Agent.						
Carthagena (*b*)	C. Molina	Consul	Spain	Spain	25 Nov. 1862	Fees.		
Denia (*b*)	J. Morand	ditto	Spain	Spain	11 May 1852	Fees.		
Havana	-	Consul General	-	-	-	6,000	10,789 72	13,95
Ditto	Henry C. Hall	Vice-Consul General	Connecticut	New York.				
Ditto	-	Consular Clerk	-	-	-	1,000		
Gibara	*E. R. Codrington*	Agent.						
Nuevitas	*R. Gibbs*	ditto.						
San Juan de Los Remedios.	-	ditto.						
Malaga	A. M. Hancock	Consul	Kentucky	Kentucky	18 April 1861	1,500	1,552 58	6,892
Ditto	J. R. Geary	Vice-Consul.						
Adra Malaga	*R. Medina*	Agent.						
Almeria Malaga	*F. P. Roman*	ditto.						
Velez Malaga	*J. R. Geary*	ditto.						
Manilla (*b*)	J. B. Pearson*	Consul	Canada	New York	18 Mar. 1867	Fees	178 89	807
Ditto	J. Russell	Vice-Consul.						
Cebu	-	Agent.						
Iloilo	*James E. Ernst*	ditto.						
Matanzas	H. C. Hall	Consul	Connecticut	New York	18 Mar. 1864	2,500	10,294 34	4,263
Ditto	J. D. Blanchard	Vice-Consul.						
Cardenas	*N. Cross*	Agent.						
Sagua la Grande	*J. H. Horner*	ditto.						
Port Mahon	James H. Whallon	Consul	New York	Pennsylvania	8 May 1869	1,500	292 36	1,79
Ivica Island	*William Wallis*	Agent.						
Palma	*J. Fiol*	ditto.						
San Juan	E. Conroy	Consul	Connecticut	Pennsylvania	21 April 1869	2,000	1,035 68	2,464
Acuadilla	*Ed. Kopisch*	Agent.						
Arecibo	*F. Fernandez*	ditto.						
Guayama	*E. M. Verges*	ditto.						
Mayaguez	*J. C. Coxe*	ditto.						
Naguabo	*W. Haddock*	ditto.						
Ponce	*P. Minvielle*	ditto.						
Viegue	*L. Garben*	ditto.						
Santander (*b*)	L. Gallo	Consul	-	-	18 Mar. 1867	Fees	-	37
Ditto	-	Vice-Consul.						
Santiago de Cuba	Jno. W. Parsons	Consul	Ohio	Ohio	26 Nov. 1869	2,500	491 84	2,978
Ditto	A. E. Phillips	Vice-Consul.						
Baracoa	*P. E. Aloya*	Agent.						
Guantanamo	*F. Badell*	ditto.						
Manzanillo	*— Bithorn*	ditto.						
Santa Cruz	*Charles Hugar*	ditto.						
Seville (*b*)	J. Cunningham	Consul	Scotland	Spain	24 June 1859	Fees.		
Teneriffe (*b*)	William H. Dabney*	ditto	Fayal	Rhode Island	22 Jan. 1862	Fees	58 22	631
Ditto	B. Forstall	Vice-Consul.						
Lanzarotte	*J. T. Topham*	Agent.						
Las Palmas	*F. W. Manley*	ditto.						
Palma	*F. P. Laremuth*	ditto.						
Port Orotava	-	ditto.						
Trinidad de Cuba	Horatio Fox	Consul	Maine	Maine	20 Mar. 1869	2,500	247 09	1,822
Ditto	-	Vice-Consul.						
Cienfuegos	-	Agent.						
Valencia (*b*)	Levi H. Coit	Consul	New York	Dist. Columbia	25 July 1868	1,500	- -	71
Ditto	-	Vice-Consul.						
Vigo (*b*)	M. Barcena	Consul	Spain	Spain	17 Sept. 1861	Fees.		
Coruana	*A. G. Fuertes*	Agent.						
Port St. Mary	*E. Crusoe*	ditto.						
SWEDEN AND NORWAY:								
Bergen (*b*)	-	Consul	-	-	-	Fees.		
Ditto	-	Vice-Consul.						
Drontheim	*M. H. Lundgreen*	Agent.						
Hammerfest	-	ditto.						
Stavenger	*T. Falk*	ditto.						
Tromso	-	ditto.						
Christiania (*b*)	-	Consul	-	-	-	Fees.		
Christiansand	*O. C. Reinhardt*	Agent.						
Gottenberg (*b*)	F. K. Bazier	Consul	New Jersey	Sweden	18 Mar. 1867	Fees.		
Ditto	F. K. Bazier	Vice-Consul.						
St. Bartholomew (*b*)	R. B. Dinzey	Commercial Agent	-	St. Thomas	26 Sept. 1860	Fees	- -	52
Stockholm (*b*)	-	Consul	-	-	-	Fees	- -	333
Ditto	N. A. Elfwing	Vice-Consul.						
Gefle	*R. Rettig*	Agent.						
SWITZERLAND:								
Basle	Henry Erni (*n*)	Consul	Switzerland	Tennessee	21 April 1869	2,000	3,735 75	3,729
Ditto	A. L. Wolff (*n*)	Vice-Consul	-	Iowa.				
Olten	*H. Salathe*	Agent.						
Geneva	Charles H. Upton	Consul	Massachusetts	Virginia	9 July 1863	1,500	966 75	1,681
Zurich	S. H. M. Byers	Consul	Pennsylvania	Iowa	25 Mar. 1869	1,500	3,218 75	2,881

* Born of American parents residing temporarily abroad.

Consular Service of the United States—*continued.*

ATE.	NAME.	TITLE.	Where born.	Whence appointed.	Date of Commission	Salary.	Fees for Year ending 30 June 1869.	Expenses for Year ending 30 June 1869.
AND—*continued.*						*Dollars.*	*Dols. c.*	*Dols. c.*
- - -	George H. Page -	Vice-Consul.						
len - -	*William Auer* -	Agent.						
H DOMINION:								
iria - -	Charles Hale -	Consul General -	Massachusetts	Massachusetts	18 May 1864	3,500	130 25	5,250 80
- - -	J. A. Johnson -	Consul General -	Massachusetts	Rhode Island	5 April 1867	2,000	117 14	2,464 92
- - -	- - -	Vice-Consul General.						
- -	L. M. Johnson -	Consular Clerk -	- - -	Texas - -	12 Sept. 1867	1,000		
- - -	*S. De Picciotto* -	Agent.						
- - -	*J. De Picciotto* -	Agent.						
dretta- -	*D. Lombroso* -	Agent.						
- - -	*J. Nasrallah* -	Agent.						
us - -	*M. Meshaka* -	Agent.						
a - -	*D. Mulheney* -	Agent.						
- - -	*S. Abela* - -	Agent.						
- - -	*A. Debbas* - -	Agent.						
- - -	*A. Yanuni* - -	Agent.						
- - -	*Y. Akaad* - -	Agent.						
est - -	L. J. Czapkay(*n*) -	Consul - - -	Hungary -	California -	20 June 1866	Fees.		
) - -	G. C. Taylor -	Consul - - -	New York -	New York -	21 April 1864	Fees.		
- - -	F. Walmass -	Vice-Consul.						
) - -	H. Hillebrandt (*n*)	Consul - - -	Hungary -	North Carolina	21 April 1869	1,000	- -	912 19
- -	E. A. Alexis -	Vice-Consul.						
- -	*G. Lariacki* -	Agent.						
ntinople -	J. H. Goodenow -	Consul General -	Maine - -	Maine - -	13 Nov. 1864	3,000	368 55	5,465 23
- -	Joseph Garguilo -	Vice-Consul General.						
- -	J. P. Brown - -	Dragoman - -	- - -	Ohio - -	23 Sept. 1859	3,000		
- -	A. Thompson* -	Marshal - - -	England -	New York -	16 Aug. 1861	1,000 and fees.		
- -	J. Garguilo - -	Acting Deputy Marshal.						
ople - -	*T. E. Blunt* -	Agent.						
(*b*) - -	L. P. Di Cesnola(*n*)	Consul - - -	Italy - -	New York -	8 Aug. 1866	1,000	5 00	1,186 31
(*b*) - -	A. Hartman -	Consul - - -	Wurtemberg -	- - -	18 Mar. 1867	Fees.		
- -	E. Hartman -	Vice-Consul.						
em (*b*) -	V. Beauboucher (*n*)	Consul - - -	France - -	Dist. Columbia	30 Aug. 1865	1,500	- -	1,882 46
) (*b*) - -	- - -	Deputy Consul.						
- - -	*John B. Hay* -	Agent.						
- - -	*N. Nunkos* - -	Agent.						
) - -	- - -	Consul - - -	- - -	- - -	- - -	Fees.		
- -	N. Petrocochino -	Vice-Consul.						
- -	E. J. Smithers -	Consul - - -	Delaware -	Dist. Columbia	11 Mar. 1867	2,000	977 14	2,456 06
- -	J. Griffit - -	Vice-Consul.						
celles - -	- - -	Agent.						
ond - -	J. M. Peebles -	Consul - - -	- - -	Michigan -	30 July 1869	Fees.		
UELA:								
s (*b*) - -	Erastus C. Pruyn -	Commercial Agent -	New York -	New York -	23 Mar. 1868	Fees.		
Bolivar (*b*) -	John Dalton -	Consul - - -	- - -	- - -	18 Mar. 1867	Fees.		
o - -	- - -	Vice-Consul.						
ra - -	Charles H. Loehr(*n*)	Consul - - -	Prussia - -	Pennsylvania -	16 Mar. 1865	1,500	467 53	1,851 34
ano - -	*Ed. Whiteford* -	Agent.						
ibo (*b*) -	T. C. Jutting -	Consul - - -	- - -	- - -	21 April 1869	Fees.		
o - -	- - -	Vice-Consul.						
Cabello (*b*) -	A. Lacombe -	Consul - - -	- - -	- - -	20 July 1867	Fees.		
o - -	- - -	Vice-Consul.						
MBERG:								
rt - -	E. Klauprecht (*n*)	Consul - - -	Germany -	Ohio - -	20 Dec. 1864	1,000	3,033 00	2,243 75
						$	375,220	519,004 54	582,648 14
							or	or	or
						£.	78,170	108,126	121,385

* Born of American parents residing temporarily abroad.

VII.—CONSULAR CLERKS.

PLACE.	NAME.	Where Born.	Whence Appointed.	Date of Original Commission.	Compensation.
					Dollars.
- - - - - -	A. J. de Zeyk - - - -	Hungary - -	Iowa - - -	7 Feb. 1866	1,000
- - - - - -	James Hand - - - -	New Jersey - -	New Jersey - -	7 Mar. 1866	1,000
- - - - - -	William Heine - - - -	- - - -	Dist. Columbia -	11 April 1866	1,000
- - - - - -	Thomas F. Wilson - - -	Pennsylvania - -	Pennsylvania - -	23 April 1866	1,000
- - - - - -	L. W. Viollier - - - -	Switzerland - -	New York - -	4 Oct. 1864	1,000
- - - - - -	B. R. Lewis - - - -	- - - -	- - - -	1 Oct. 1866	1,000
- - - - - -	F. Olcott - - - - -	New York - -	New York - -	7 Nov. 1866	1,000
	A. C. Hyer - - - - -	Pennsylvania - -	Pennsylvania - -	29 Nov. 1866	1,000
- - - - - -	L. M. Johnson - - - -	- - - -	Texas - - -	12 Sept. 1867	1,000
- - - - - -	O. B. Bradford - - - -	- - - -	Pennsylvania - -	27 May 1867	1,000
t - - -	Aug. Glaser. - - - -	- - - -	- - - -	23 Mar. 1868	1,000
				$	11,000
					or
				£.	2,341

FEES COLLECTED BY CONSULAR OFFICERS.

CONSULAR FEES prescribed by the President of the United States, in accordance with the Provisions of the Act of Congress, approved 18th August 1856, regulating the Diplomatic and Consular Systems of the United States.

CIRCULAR, No. 49.

Department of State, Washington, 26 March 1864.

To the Consular Officers of the United States,

I TRANSMIT herewith, for your information and guidance, the revised rates or tariff of fees prescribed by the President, under the provisions of the 16th section of the Act to regulate the Diplomatic and Consular Systems of the United States, to be charged by all consular officers for the services "which shall be regarded as official services." The fees therefore "are to be collected in the coin of the United States, or at its representative value in exchange." The rates established by this tariff are intended to supersede those which were heretofore prescribed, and are to be carefully observed in all cases by consular officers.

At the expiration of each quarter, all fees collected by all *salaried* consular officers residing at seaports must be accounted for to the Secretary of the Treasury, pursuant to Forms Nos. 8, 33, 44, and 45; and by those residing at inland places; agreeably to Forms Nos. 9 and 33, and the respective amounts held subject to his draft or "other directions." Similar reports must be made quarterly to this department by all unsalaried consular officers. To enable this department to comply with the provisions of the 16th section of the Diplomatic and Consular Act, a report must be made, pursuant to Form No. 138, to this department by all consular officers.

Consuls are further instructed that the rates for consular services, in pursuance of the revised tariff, are to be charged from and after the 30th of June next.

(signed) *William H. Seward.*

(Approved.)

28 March 1864.

(signed) *A. Lincoln.*

CONSULAR FEES.

	Dols. c.
ACKNOWLEDGMENTS.	
1. Of the master to bottomry bond with certificate under seal	2 50
2. Of the master to a mortgage or mortgage bill of sale of vessel	2 00
3. Of the master to an order for payment of seamen's wages or voyages, at home, including making up the order, if required	2 50
4. Of the merchant to assignment of bottomry bond	2 00
5. Of the vendor to a bill of sale of vessel	2 00
6. Of one or more persons to a deed or instrument of writing	2 00
7. Of one or more persons to a power of attorney	2 00
AUTHENTICATING COPIES OF PAPERS.	
8. Of advertisement for funds on bottomry	1 00
9. Of inventories and letters, or either, of masters	1 00
10. Of marine note of protest	2 00
11. Of extended protest	3 00
12. Of account of sales of vessel, cargo, provisions, and stores, or either	1 00
13. Of advertisement of sale of vessel or cargo, provisions or stores	1 00
14. Of call, warrant, and report of survey on vessel, hatches, cargo, provisions, and stores, or either (for example, *see* Form, No. 50)	1 00
AUTHENTICATING SIGNATURES.	
15. To average bonds	2 00
16. To estimate of repairs of vessel	2 00
17. To (auctioneer's) account of sales of vessel or cargo, provisions or stores	2 00
18. To reports of survey on vessel or cargo, provisions, or stores	2 00

	Dols.
CERTIFICATES.	
19. Of forms of application for arrears of pay and bounty of deceased or disabled soldiers	0 [illegible]
20. Of governors, judges, notaries public, custom-house and other officers	2 [illegible]
21. Of merchants and individuals	2 [illegible]
22. For any other consular authentication or service of like character not herein named or enumerated	2 [illegible]
23. To bill of health	2 [illegible]
24. Of indorsement of bottomry on ship's register	2 [illegible]
25. Of ditto on payment of bottomry on ship's register	2 [illegible]
26. Of ditto of new ownership on ship's register	2 [illegible]
27. Of cancelling ship's register	2 [illegible]
28. To currency	1 [illegible]
29. Debenture certificate, including oaths of master and mate	5 [illegible]
30. Of decision and award, in cases of protests against masters, passengers, or crew (for example, *see* Form, No. 49)	5 0
31. Of the deposit of a ship's register and papers, when required by custom-house authorities	2 0
32. In cases of vessels deviating from the voyage	2 0
33. When ship's register is retained *entire* in the consulate	2 [illegible]
34. Of identity	2 [illegible]
35. To invoice, including declaration, in triplicate	2 [illegible]
36. To invoice of goods not exceeding 100 dollars in value, in British North American provinces	1 [illegible]
37. When the amount of the invoice exceeds 100 dollars	2 [illegible]
38. Of place of growth or production of goods made duty free by the reciprocity treaty, exceeding in value the sum of 200 dollars, to be charged by consular officers in British North American provinces	1 [illegible]
39. Same of goods not exceeding in value the sum of 200 dollars	No fee

FEES COLLECTED BY CONSULAR OFFICERS—*continued.*

Certificates—*continued.*	Dols.	c.
? place of birth of emigrants, and only when desired by them	0	25
or marriage certificate under the provisions of the 32nd section of the Consular Judicial Act of 22nd June 1860	1	00
? appointment of a new master, including oath of master	2	00
iven to a master at his own request (for example, *see* Form No. 48), if less than 200 words, under seal	2	00
or every additional 100 words	1	00
f the ownership of a vessel	2	00
o a seaman, of his discharge	No fee.	
or master to take home destitute American seamen	No fee.	
f conduct of crew on board, in cases of refusal of duty and in cases of imprisonment, &c.	2	00
f sea letter	3	00
f roll or list of crew, when required by the captain or authorities of the port	2	00
o shipping articles	2	00

DECLARATIONS AND OATHS.		
eclaration and oath of master to one or more desertions, including oaths, attached to crew list and shipping articles, each	0	50
o one or more deaths or losses of seamen overboard at sea, including oaths, attached to crew list and shipping articles, each	0	50
o not being able to procure two-thirds of a crew of American seamen	0	50
o ship's inventories or stores	0	50
o the correctness of log-book	0	50
o ship's bills and vouchers for disbursements and repairs	0	50

ESTATES OF DECEASED AMERICAN CITIZENS.

or taking into possession the personal estate of any citizen who shall die within the limits of a consulate, inventorying, selling, and finally settling and preparing, or transmitting, according to law, the balance due thereon, 5 per cent. on the gross amount of such estate. If part of such estate shall be delivered over before final settlement, 2½ per cent. to be charged on the part so delivered over as is not in money, and 5 per cent. on the gross amount of the residue. If among the effects of the deceased are found certificates of foreign stocks, loans, or other property, 2½ per cent. on the amount thereof. No charge will be made for placing the official seal upon the personal property or effects of such deceased citizen, or for breaking or removing the seals, when required by the person or persons referred to in section 29 of the Act of 18th August 1856.

FILING DOCUMENTS IN CONSULATE.		
Consul's certificate to advertisement for funds on bottomry	0	25
Inventories of vessels, cargo, provisions, and stores, or either	0	25
Estimate of repairs of vessels	0	25
To advertisement of sale of vessel, cargo, provisions, and stores, or either	0	25
Letter of master notifying consul of sale of vessel, cargo, provisions, and stores, or either	0	25
Of master notifying auctioneer of sale of vessel, cargo, provisions, and stores, or either	0	25
Accounts of sale of vessel, cargo, provisions, and stores, or either	0	25
Calls of survey on vessel, hatches, cargoes, provisions, and stores, or either	0	25

Filing Documents in Consulate—*continued.*	Dols.	c.
67. Warrants of survey on vessels, hatches, cargoes, provisions, and stores, or either	0	25
68. Reports of survey on vessels, hatches, cargoes, provisions, and stores, or either	0	25
69. For filing any other document prepared in or out of the consulate	0	25

CONSULS' ORDERS AND LETTERS.		
70 To send seamen to hospital	No fee.	
71. To send seamen to prison	2	00
72. To release seamen from prison	2	00
73. To authorities or captain of the port, in cases of sinking vessels (for example, *see* Form No. 51)	2	00
74 Requesting the arrest of seamen	2	00
75. For any other letter or order of like character	2	00

LICENSES.		
76. For the issue of a license to a vessel clearing from a foreign port and destined to a port of the United States opened by the proclamation of the President	5	00

PASSPORTS.		
77. For a passport, including seal	5	00
78. For visaing a passport	1	00

PROTESTS, &c.		
79. For noting marine protest	2	00
80. For extending marine protest	3	00
81. And if it exceed 200 words, for every additional 100 words	1	00
82. For issuing warrant of survey on vessels, hatches, cargo, provisions, and stores, or either	2	00
83. Notifying surveyors of their appointment, for each	1	00
Notifying agents of insurance companies interested, each	1	00

PREPARING DOCUMENTS.		
84. For preparing agreement of master to give increased wages to seamen, attested under seal	2	00
85. For preparing any other official document or instrument of writing, not herein named or enumerated, if under 100 words	2	00
86. If exceeding 100 words, for every additional 100 words	1	00

RECORDING DOCUMENTS.		
87. Appointment of new master	0	50
88. Application of a citizen of the United States for a sea letter	0	50
89. Average bonds, when required, for every 100 words	0	50
90. Bill of sale, when required, for every 100 words	0	50
91. Certificate given to master at his own request, when required	0	50
92. Consul's letter to captain of port, or authorities, in cases of sinking vessels	0	50
93. Order and consul's certificate to pay seamen's wages or voyages, at home	0	50
94. Powers of attorney, when required, for every 100 words	0	50
95. Protests of masters and others, other than marine protests, for every 100 words	0	50
96. Sea letter, for every 100 words	0	50

FEES COLLECTED BY CONSULAR OFFICERS—*continued.*

Recording Documents—*continued.*	*Dols.*	*c.*
97. Calls of survey on vessel, hatches, cargo, provisions, and stores, or either; warrants and reports of ditto, ditto; estimates of repairs; certificates of consuls to advertisements for funds on bottomry, and of sale of vessel; inventories of vessel, cargo, provisions, and stores; letter of master to consul notifying sale of vessel, cargo, provisions, and stores, or either; letter of master to auctioneer, and account of sales of vessel, cargo, provisions, and stores, or either, for every 100 words of any document required to be recorded, except consul's certificate to master's taking home American seamen	0	50
98. Any other document or instrument of writing not herein named or enumerated, prepared in or out of the consulate, and required to be recorded, for every 100 words	0	50
RECEIVING AND DELIVERING SHIP'S PAPERS.		
99. For receiving and delivering ship's register and papers, including consular certificates as prescribed in Forms No. 38 and 39, one cent on every ton, registered measurement of the vessel for which the service is performed, if under 1,000 tons	0	01
100. And for every additional ton over 1,000, one-half of one cent.	0	00½

Shipping or Discharging Seamen	*Dols*
101. For every seaman who may be discharged or shipped, including the certificates therefor attached to crew list and shipping articles, to be paid by the master of the vessel	0
MISCELLANEOUS SERVICES.	
102. For administering oaths not hereinbefore provided for, each	0
103. For attending an appraisement of goods or effects, daily	5
104. For attending valuation of goods, for every day's attendance during which the valuation continues	5
105. For attending sale of goods, for every day's attendance during which the sale continues	5
106. For attending sale of vessel, when required	5
107. For attendance at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above travelling expenses, a per diem of five dollars, whenever the consul's interposition is required by the parties interested	5
108. For consul's seal and signature to clearance from custom-house authorities	2
109. For consul's seal and signature to any document not mentioned in or otherwise provided for by the foregoing tariff	2

Under the provisions of the 16th section of the Diplomatic and Consular Act, the President has prescribed that all acts are to " regarded as official services " when the consul uses his seal and title officially, or either of them; and the fees received therefor salaried consuls are to be accounted for to the treasury of the United States.

Where a fee is fixed in the foregoing tariff for any particular act or transaction, no additional fee is to be demanded for signat attestation, or annexing seal of office.

All consular fees are to be collected, as prescribed by law, " in the coin of the United States, or at its representative valu exchange."

By order of the President.

William H. Seward,
Secretary of Stat

DRAFT ESTIMATE.

SERVICES IN CHINA, JAPAN AND SIAM.

I. ESTIMATE of the Amount required in the Year ending 31st March 1871, to defray the Expenses of the Establishments of China, Japan, and Siam.

Ninety-nine Thousand Four Hundred and Fifty Pounds.*

II. Sub-Heads under which this Vote will be accounted for.

	1870–71.	1869–70.	Increase.	Decrease.
	£.	£.	£.	£.
.—SALARIES, ALLOWANCES, AND WAGES	68,112	72,337	—	4,225
.—LEGATION GUARDS	4,500	2,766 †3,300	—	1,566
.—OUTFITS AND TRAVELLING	5,000	2,500 †2,500	—	—
.—PRINTING AND STATIONERY	500	300 †200	—	—
.—POSTAGE	600	500 †300	—	200
.—RENT	9,413	8,200 †2,700	—	1,487
.—CHAPELS AND CHAPLAINS	1,200	3,000	—	1,800
.—INCIDENTAL EXPENSES	7,275			
.—ADMINISTRATION OF JUSTICE	1,500	5,000 †5,500	—	625
.—MEDICAL ATTENDANCE	1,100			
.—RELIEF OF DISTRESSED BRITISH SUBJECTS	250	50 †200	—	—
£.	99,450	109,353	—	9,903

Decrease - - - £. 9,903.

* The actual Expenditure on account of Consular Services proper in China, Japan, and Siam in 1868-69 was - £. 105,604

Of which is repaid to the Exchequer out of Indian Revenue one-third of the Expenditure in China, amounting to - - - - - - - - - - - - £. 25,563

While the Fees, Fines, and other casual Receipts for 1868–69, also payable to the Exchequer, amounted to - - - - - - - - - - - - - 9,396

34,959

The real Cost to this Country of the Consular Establishments in China, Japan, and Siam in 1868–69 was therefore, only - £. 70,645

† Supplementary Estimate.

DRAFT ESTIMATE—Services in China, Japan, and Siam—*continued.*

DETAIL of I.	1870-71. £.	1870-71. £.	1870-71. £.	1869-70. £.	1869-70. £.	1869-70. £.
I.—SALARIES, ALLOWANCES, AND WAGES:						
CHINA.						
MISSION AND SUPERINTENDENCY.						
Assistant Chinese Secretary	600	–	–	600		
Assistant and Accountant	400	–	–	500		
Surgeon	600	–	–	600		
		1,600			1,700	
Colonial Auditor } Officers at Hong Kong	–	–	–	500		
Assistant }				400		
					900	
CONSULS.						
Amoy	900	–	–	900		
Canton	1,600	–	–	1,600		
Che-foo	900	–	–	900		
Foo-chow	1,300	–	–	1,300		
Hankow	1,300	–	–	1,300		
Kiu-Kiang	900	–	–	900		
New-chwang	900	–	–	900		
Ningpo	900	–	–	900		
Shanghae	1,500	–	–	1,500		
Swatow	800	–	–	800		
Taiwan	800	–	–	800		
Tien-tsin	900	–	–	900		
		12,700			12,700	
VICE-CONSULS.						
Shanghae	750	–	–	750		
Pagoda Island	750	–	–	750		
Whampoa	750	–	–	750		
Tamsuy	600	–	–	600		
Taku	500	–	–	500		
		3,350			3,350	
INTERPRETERS.						
1st Class	700	–	–	700		
Ditto	700	–	–	700		
2nd Class	600	–	–	600		
Ditto	600	–	–	600		
Ditto	600	–	–	600		
3rd Class	500	–	–	500		
Ditto	500	–	–	500		
Ditto	500	–	–	500		
Ditto	500	–	–	500		
Ditto	500	–	–	500		
Ditto	500	–	–	500		
		6,200			6,200	
ASSISTANTS.						
1st Class	400	–	–	400		
Ditto	400	–	–	400		
Ditto	400	–	–	400		
Ditto	400	–	–	400		
Ditto	400	–	–	400		
Ditto	400	–	–	400		
2nd Class	350	–	–	350		
Ditto	350	–	–	350		
Ditto	350	–	–	350		
Ditto	350	–	–	350		
Ditto	350	–	–	350		
Ditto	350	–	–	350		
3rd Class	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
Ditto	300	–	–	300		
		6,900			6,900	
Shipping Clerk at Shanghae	400			–		
Student Interpreters	3,300	–	–	3,300		
		3,700			3,300	

DRAFT ESTIMATE—Services in China, Japan, and Siam—*continued.*

DETAIL of I.—*continued.*	1870-71.			1869-70.		
SALARIES, ALLOWANCES, AND WAGES—*continued.*						
CHINA—*continued.*	£. s.	£. s.	£.	£.	£.	£.
Writers or Linguists:—						
Peking	191 5					
Amoy	127 10					
Canton	290 14					
Chee-foo	76 10					
Chin-kiang	51 –					
Foo-chow	140 5					
Hankow	153 –					
Kiu-kiang	76 10					
New-chwang	102 –					
Ning-po	107 2					
Pagoda Island	38 5					
Shanghae	823 13					
Swatow	140 5					
Taiwan	114 15					
Taku	76 10					
Tamsuy	178 10					
Tien-tsin	76 10					
Whampoa	48 9					
		2,812 13		2,800		
					2,800	
Allowance to Consul at Tien-tsin	200 –	–	–	200		
Temporary Allowances at Shanghae	–	–	–	1,350		
Ditto - - ditto - at Hankow	–	–	–	550		
Ditto - - ditto - at Kiu-kiang	–	–	–	325		
Ditto - - ditto - at Foo-chow	–	–	–	175		
		200 –				
					2,600	
Teachers for Student Interpreters	459 7					
		459 7				40,450
			37,922			
JAPAN.						
MISSION AND CONSULATE GENERAL.						
Japanese Interpreter and Translator	500 –	–	–	500		
Assistant, Accountant, and Interpreter	–	–	–	500		
Medical Officer	500 –	–	–	500		
		1,000 –				
					1,500	
CONSULS.						
Kanagawa	–	–	–	1,000		
Hiogo	1,000 –	–	–	1,000		
Nagasaki	900 –	–	–	900		
Neegata	800 –	–	–	800		
Hakodadi	800 –	–	–	800		
		3,500 –				
					4,500	
VICE CONSULS.						
Kanagawa	600 –			–		
Yedo	600 –	–	–	600		
Osaka	600 –	–	–	600		
		1,800 –				
					1,200	
			6,300			7,200
INTERPRETERS.						
Dutch Interpreter	–	–	–	500		
Ditto	–	–	–	400		
Ditto	–	–	–	400		
					1,300	
Interpreter's Allowances to three Assistants	300 –	–	–	300		
		300 –			300	
ASSISTANTS.						
1st Class	500 –			–		
Ditto	400 –			–		
Ditto	400 –			–		
Ditto	400 –	–	–	400		
Ditto	400 –	–	–	400		
		2,100 –			800	
2nd Class	350 –	–	–	350		
Ditto	350 –	–	–	350		
		700 –			700	
3rd Class	300 –	–	–	300		
Ditto	300 –	–	–	300		
		600 –			600	
Student Interpreters	–	800 –	–	–	800	
			4,500			4,500
SUPREME COURT FOR CHINA AND JAPAN.						
Judge	3,500 –	–	–	3,500		
Deputy Judge (1,000*l.*, increasing by 50*l.* a year to 1,200*l.*)	1,200 –	–	–	1,200		
Law Secretary (750*l.*, increasing by 25*l.* a year to 900*l.*)	750 –			–		
Law Clerk (600*l.*, increasing by 25*l.* a year to 750*l.*)	650 –	–	–	625		

DRAFT ESTIMATE—Services in China, Japan, and Siam—*continued.*

DETAIL of I.—*continued.*	1870-71.			1869-70.	
I.—SALARIES, ALLOWANCES, AND WAGES—*cont^d.*					
SUPREME COURT for CHINA and JAPAN—*cont^d.*	£. s. d.	£. s. d.	£. s. d.	£.	£.
Interpreter (450*l.*, increasing by 15*l.* a year to 600*l.*)	- -	- -	- -	480	
Chief Clerk	350 - -	- -	- -	350	
Clerk for Civil Causes	306 - -	- -	- -	306	
Clerk for Criminal Causes	306 - -	- -	- -	306	
Assistant Clerk	306 - -	- -	- -	306	
Chief Usher	200 - -	- -	- -	200	
Chief Constable	164 - -	- -	- -	164	
Messengers and Coolies	200 - -	- -	- -	200	
		7,932 - -			7,637
SIAM.			7,932 - -		7,637
Consul General	1,200 - -	- -	- -	1,200	
Interpreter	500 - -	- -	- -	700	
First Assistant	400 - -	- -	- -	400	
Second ditto	350 - -	- -	- -	350	
Medical Attendant	400 - -	- -	- -	400	
Two Student Interpreters, at 200*l.* a year each	400 - -	- -	- -	400	
		3,250 - -			3,450
			3,250 - -		3,450
Wages and Allowances to Gaolers, Constables, Watchmen, Boatmen, Porters, Coolies, and others employed on Public Service in China, Japan, and Siam:—					
CHINA.					
Peking	277 19 -				
Amoy	367 4 -				
Canton	326 8 -				
Chefoo	255 8 -				
Chin-kiang	160 13 -				
Foo-chow	240 11 -				
Hankow	221 17 -				
Kiu-kiang	200 3 -				
New-chwang	298 7 -				
Ningpo	189 16 6				
Pagoda Island	219 6 -				
Shanghae	787 19 -				
Swatow	326 8 -				
Taku	209 2 -				
Taiwan	174 13 6				
Tamsuy	167 - 6				
Tien-tsin	188 14 -				
Whampoa	216 15 -				
		4,828 4 6			
JAPAN.					
Writers:—					
Yedo (Legation)	367 4 -				
Hakodadi	38 5 -				
Hiogo	38 5 -				
Kanagawa	51 - -				
Nagasaki	38 5 -				
Neegata	38 5 -				
Osaka	38 5 -				
Yedo (Vice Consulate)	38 5 -				
		647 14 -			
Gaolers, Constables, Watchmen, &c.:—					
Yedo (Legation)	385 1 -				
Hakodadi	255 18 -				
Hiogo	275 8 -				
Kanagawa	504 18 -				
Nagasaki	265 4 -				
Neegata	184 10 -				
Oasaka	184 10 -				
Yedo (Vice Consulate)	219 6 -				
		2,274 15 -			
SIAM.					
Writers	58 4 -				
Gaolers, Constables, &c.	399 6 -				
		457 10 -			9,100
			8,208 3 6		9,100
TOTAL for SALARIES, ALLOWANCES, AND WAGES	£. - - -		68,112 3 6	-	- 72,337

Appendix, No. 7.

DRAFT ESTIMATE—Services in China, Japan, and Siam—*continued.*

	1870–71.		1869–70.	
DETAIL of K.				
LEGATION GUARDS:	£.		£.	
Pay of Legation Guard and Escort at Pekin	621		977	
Pay of Escort of Legation in Japan	1,789		1,789	
Expenses for Horses, Clothing, &c., formerly charged to Incidental Expenditure	2,090		3,300*	
Total for LEGATION GUARDS £.	4,500		6,066	
DETAIL of L.				
OUTFIT AND TRAVELLING:				
Allowances for Passages for Consular Officers and Student Interpreters	5,000		2,500 2,500*	
Total for OUTFITS AND TRAVELLING £.	5,000		5,000	
DETAIL of M.				
PRINTING AND STATIONERY:				
To cover Charges for Printing and Stationery payable in China, Japan, and Siam	500		300 200*	
DETAIL of N.				
POSTAGE:				
To cover Charges for Postage payable in China, Japan, and Siam	600		500 300*	
DETAIL of O.				
RENT:				
Rent of Legation and Consular Buildings in China	3,450		5,600	
Ditto - ditto - Japan	4,050			
Ditto - ditto - Siam	63			
Allowance for House Rent to Officers of Supreme Court	1,850		2,600	
Total for RENT £.	9,413		8,200 2,700*	
DETAIL of P.				
CHAPELS AND CHAPLAINS:				
Contributions of Her Majesty's Government towards support of British Church Establishments in China and Japan	1,200		3,000	
	£.	£.	£.	£.
DETAIL of Q.				
INCIDENTAL EXPENSES:				
Fixed Allowance for Consular Office Expenses:				
CHINA:				
Canton and Shanghae, 275 *l.* a year each	550			
Swatow, Amoy, Foo-chow, Ningpo, Hankow, and Tien-tsin, 100 *l.* a year each	600			
New-chwang, Chee-foo, Taiwan, and Kiu-kiang, 75 *l.* a year each	375			
Pagoda Island, Whampoa, Tamsuy, and Taka Vice Consulates, 40 *l.* a-year each	160			
		1,685		
Carried forward £.		1,685	–	–

* Supplementary Estimate.

Appendix, No. 7.

DRAFT ESTIMATE—Details of China, Japan, and Siam—*continued.*

DETAIL of Q.—*continued.*	1870–71.		1869–70.	
INCIDENTAL EXPENSES—*continued.*	£.	£.	£.	£.
Brought forward - - -	–	1,685	–	–
JAPAN.				
Kanagawa, Hiogo, Nagasaki, Neegata, and Hakodadi, 125 *l.* a year each - - - - - -	625			
Yedo and Osaka Vice-Consulates, 60 *l.* a year each	120			
		745		
Allowances for Purchase of Coal:—				
CHINA.				
Shanghae and Tien-tsin, 80 *l.* a year each - -	160			
Ningpo, Chefoo, and New-chwang, 40 *l.* a year each	120			
Taku Vice Consulate - - - - - - -	25			
		305		
JAPAN.				
Hakodadi, 40 *l.* a year - - - - - -	40			
		40		
Incidental Expenses of Missions and Consulates not included in fixed Office Allowances:—				
China - - - - - - - - - -	3,000			
Japan - - - - - - - - - -	1,000			
Siam - - - - - - - - - -	500			
		4,500	–	5,000
Total for INCIDENTAL EXPENSES - - £.	–	7,275	–	5,000 5,500*
DETAIL of R.				
ADMINISTRATION OF JUSTICE:	£.		£.	
Maintenance of Prisoners and other Prison Expenses - - - - - - - - - -	1,500		—	
DETAIL of S.				
MEDICAL ATTENDANCE:				
Expense of providing Medical Attendance at Consulates in China and Japan - - - - -	1,100		—	
DETAIL of T.				
RELIEF OF DISTRESSED BRITISH SUBJECTS:				
For Relief to Distressed British Subjects, under the Act 6 Geo. 4, c. 87 - - - - - -	250		50 200*	

* Supplementary Estimate.

STATEMENT of TRADE and of certain EXPENDITURE in this COUNTRY, as compared with that in the UNITED STATES. Appendix, No. 7.

	£.	Proportion More.
The amount of imports into and exports from the United Kingdom to foreign Ports in 1867 was	539,163,789	2·021
Into and from the United States in 1867 was	178,418,517	
	Tons.	
British National tonnage entered and cleared from and to foreign and colonial Ports in 1867	22,370,070	2·254
United States - ditto - ditto - ditto	6,874,544	
	£.	
Estimate for British Diplomatic Services in 1870–71	221,030	
Ditto - ditto Consular - ditto - ditto	262,983	
TOTAL	484,013	1·494
Estimate for American Diplomatic Services in 1869–70	85,700	
Ditto - ditto Consular - ditto - ditto	108,300	
TOTAL	194,000	

	United States.		Great Britain and Ireland.	
	Trade.	Tonnage.	Trade.	Tonnage.
	£.	*Tons.*	£.	*Tons.*
£. 1 expenditure in Diplomatic Service equals	2,082	80	2,439	101
Ditto - ditto - Consular - ditto	1,647	63	2,050	85
	3,729	143	4,489	186
			3,729	143
More per £.			760	43

The Paid American Consular Service comprises, according to the Act of Congress of 6 March 1868:—

		Dols.
Interpreters and other expenses in the Levant		2,500
Miscellaneous payments		30,000
Office rent		45,000
Consular salaries		401,000
Interpreters in China		5,800
Japanese consuls		6,000
Expenses of consular courts		9,000
Gaols		9,000
Ministers and consuls in Liberia and Hayti		11,500
	$.	519,800
	£.	or, at 4 *s.* 2 *d.* the dollar, 108,291

Appendix, No. 8.

PAPER handed in by Mr. *Hammond*.

Appendix, No. 8.

LETTER from Major *Munro* to the Earl of *Clarendon*.

My Lord, Monte Video, 19 October 1869.

I HAVE the honour to acknowledge the receipt of Mr. Otway's Despatch—Commercial—No. 17, of 31 of August last, conveying to me the intimation that the post of Chargé d'Affaires to this Republic will no longer be continued as a distinct appointment, but that Her Majesty's Minister to the Argentine Confederation would henceforward discharge the political duties connected with the Republic of the Uruguay.

Mr. Otway has also informed me that for the discharge of the Consular duties and the general superintendence of British interests within the territories of this Republic, it is your Lordship's pleasure that my services be retained, with the rank of Consul, in which capacity a salary will be allowed to me of eight hundred pounds (800 *l.*) a year, with the additional allowance of one hundred and fifty pounds (150 *l.*) for the service of a clerk, but that the fees collected at the Consulate will hereafter be carried to the public account.

Mr. Otway further instructs me to understand that my Consulate is placed under the superintendence of Mr. Stuart, and that it will be my duty to keep him accurately informed on all points of interest and be guided by his instructions.

My Lord, it is, in the first place, my desire to express to your Lordship my appreciation of your Lordship's kindness towards me, and the sincere gratitude which I feel at this manifestation of your Lordship's confidence in having appointed me to the important post of Her Majesty's Consul at the capital of the Uruguayan Republic.

But, my Lord, with relation to this appointment, there is a point which I most respectfully but earnestly solicit your Lordship to consider.

In Mr. Otway's Despatch, my Lord, already referred to, I am desired hereafter to carry all the fees of the Consulate to the public account, without any allowance, beyond 150 *l.* for a clerk, being mentioned in substitution; whereas, my Lord, in every other South American Consulate there is an allowance for office expenses in proportion to the amount of fees which had been, under previous arrangement, applied to that outlay.

In Buenos Ayres, my Lord, the Consul's salary is fixed at 900 *l.* a year, with 600 *l.* extra allowance; and, my Lord, I speak advisedly when I say that both in house-rent and every other description of expense, Monte Video is by much the dearer of the two places, and the salary and allowances accorded to Monte Video has been assimilated to the inferior port of Rio Grande, the return of fees from which is 246 *l.*, while the last return from Monte Video was 715 *l.*, and will be higher for 1869.

I now, my Lord, pay 372 *l.* a year, or 150 dollars a month, for the rent of my dwelling-house and Consulate, in which fortunately the united accommodation is combined; and I assure your Lordship that if I were to hire an office in an accessible locality for shipmasters, and lodge my family in the suburbs, it could not be done cheaper. I have but one clerk, and I give him 250 *l.* a year, and at the present rate of salaries ruling at Monte Video it is quite impossible to obtain an honest and tolerably intelligent clerk for a less sum.

These two expenses, my Lord, exclusive of stationery, lighting, and service, amount to 622 *l.*

My Lord, while I was a Vice Consul, with a salary of 500 *l.*, when Monte Video was a far cheaper place of residence than it has since become, with the most rigid economy I never could bring my expenditure within 800 *l.* for the year; but I did not complain, I had no right to do so, having taken the appointment with a pre-knowledge of the salary; but, my Lord, I do not deem that I am unreasonable, if, in the responsible position of Her Majesty's Consul at the capital port of a separate country, with every expense to bear, I should solicit your Lordship to bestow on me a salary upon which I may be able to support my family without continuing to expend the whole of my private income in providing for the unavoidable necessaries of life.

As a proof, my Lord, that I have ground for what I state, I annex a sketch of some of my expenses, public and private, for the past year.

	£.	s.	d.
House and Office Rent - - - - -	372	–	–
Consular Clerk's Salary - - - - -	250	–	–
Four Servants' Wages - - - - -	170	–	–
Fuel and Lighting - - - - - -	70	–	–
Washing for Family - - - - -	60	–	–
£.	922	–	–

Your

Appendix, No. 8.

Your Lordship will observe that in the above relation, which is strictly according to fact, there is nothing put down for subsistence, clothing, or education of a family of eight children, varying from 20 to 4 years of age, or for medical attendance, subscriptions, or charities, the latter, owing to the great number of pauper English that appear, being really a heavy burden, and one which a reference to the quarterly return of Consular expenditure, will show your Lordship is provided for without charge to Her Majesty's Government.

Your Lordship's generosity will excuse my having entered into this explanation, and I feel certain that in the arrangement that your Lordship has thought an equitable one for this newly-established Consulate, your Lordship has been unaware that Monte Video is now, without exception, the most expensive place of residence in South America, or your Lordship would have granted to me the same allowance, in proportion to the fees, which is the case in other Consulates.

I may be permitted here to refer to the fact, that in December of 1867 Mr. Lettsom, in his Despatch, No. 50, represented the insufficiency of his salary, and that since that date the price of living at Monte Video has advanced fully 25 per cent. I have, my Lord, in conclusion, the honour most respectfully to crave the attention of your Lordship to this, to me, most momentous question, and to suggest that it would be but equitableness to this Consulate that the fees be permitted to be retained by me, or that the salary and allowances be placed on an equal footing with Buenos Ayres, declaring to your Lordship, upon my honour, that in the foregoing statement I have used no exaggeration, nor have I referred to any luxury.

I have enclosed a copy of this Despatch to Mr. Stuart, but who is absent at present from Buenos Ayres.

I have, &c.
(signed) *J. St. John Munro.*

Appendix, No. 9.

PAPERS handed in by Mr. *Hammond*, 4 April 1870.

Appendix, No. 9.

STATEMENT obtained from the Statistical Department of Board of Trade of British and American Trade and Shipping in the Year ending 30 June 1867.

	United Kingdom, in the Year 1867.	United States, in the Year ended 30 June 1867.
	Tons.	*Tons.*
Total Tonnage of Vessels belonging to each Country -	5,670,350	4,304,486
Total Tonnage of National Vessels Entered and Cleared from and to Foreign Ports - - - - - -	22,370,070*	6,874,554
	£.	£.
Total Value of Imports and Exports from and to Foreign Countries:		
Merchandise and Bullion and Specie - - -	539,163,789	178,418,517
Merchandise only - - - - - - - -	501,018,225	161,866,128

* Tonnage Entered and Cleared from and to Foreign and Colonial Ports.

Comparative Statement of Fees charged by United States' Consuls, and by Consuls in Her Majesty's Service.

The following Memorandum has been drawn up in communication with, and under the advice of the Marine Department of the Board of Trade. The great differences existing in the nomenclature and arrangement of the fees used in the Consular Services of the United States and Great Britain have rendered only a proximate comparison practicable.

The numbers placed under the following headings of American Fees follow the order observed in the annexed United States Table of Consular Fees:

N.B.—The items of American Fees are given only where they correspond to English Fees charged in analogous cases.

Consular Fees, United States.			Consular Fees, Great Britain.	
		Dolls. cts.		£. s. d.
1 to 7	Acknowledgments - -	2 00 to 2 50	No equivalent fees.	
8 to 14	Authenticating Copies of Papers - - - -	1 00 to 3 00		
			Only two, viz.:	
	10 Marine Note of Protest -	2 00	Noting Protest - -	– 5 –
	11 Extending Protest - -	3 00	Extending Protest - -	1 – –
			(These charges include copies prepared at Consulate.)	
			All other certified copies -	– 2 6 each.
15 to 22	Authenticating signatures -	0 25 to 2 00	Attestation of all signatures -	– 2 – each.

COMPARATIVE STATEMENT of Fees charged by United States' Consuls, &c —*continued* Appendix, No. 9.

	Consular Fees, United States.	Dolls. cts.	Consular Fees, Great Britain.	£. s. d.
23 to 51	Certificates	0 25 to 5 00		
			Only two, viz.:	
	23. Bill of Health	2 50	Bill of Health	– 10 –
	41. Marriages Certificate	1 00	Marriage Certificate	– 2 6
	42. Appointment of New Master, including Oath.	2 00	Appointment of New Master (No oath required).	– 2 –
	45. Ownership of Vessel	2 00	Declaration of Ownership	– 5 –
52 to 57	Declarations and Oaths	0 50	All oaths	– 2 –
58	Estates of Deceased American Citizens. (2 to 5 per cent. "*ad valorem*")	– –	Estates of deceased British Subjects. 2½ per cent.	
59 to 69	Filing Documents in Consulate	0 25	No equivalent fee.	
70 to 75	Consuls' Orders and Letters	2 00	No equivalent fee.	
76	Licenses	5 00	Provisional Certificates of Registry.	– 10 –
77 to 78	Passports	5 00	Passport (Consular)	– 5 –
	Visa	1 00	Visa	– 2 –
79 to 83	Protests, &c.	1 00 to 3 00		
			Only four, viz.:	
	79. Noting Protest	2 00	Noting Protest	– 5 –
	80. Extending Protest	3 00	Extending Protest	1 – –
	81. If over 200 words, for every 100 words extra.	1 00	If over 200 words, for every 100 words extra.	– 2 6
	82. Warrant of Survey	2 00	Order of Survey	– 5 –
			Extending Survey	1 – –
			Only one, viz.:	
84 to 86	Preparing Documents	1 00 to 2 00	Bottomry or Arbitration Bonds	1 – –
			Only one, viz.:	
87 to 98	Recording Documents	0 50	Registration	– 2 6
99 to 100	Receiving and delivering Ships' Papers. (½ to 1 per cent. per Ton.)	–	No equivalent fee.	
101	Shipping or discharging Seamen.	0 50	For every Seaman engaged or discharged.	– 2 –
102 to 109	Miscellaneous Services	0 50 to 5 00		
			Only three, viz.:	
	102. Oaths not already provided for.	0 50	All Oaths	– 2 –
	103–4. Appraisement and Valuation of Goods, daily.	5 00	Attending Valuation of Goods under 200 *l.*	– 10 6
			Over 200 *l.*	1 1 –
	105. Attending Sale of Goods, daily.	5 00	Attending Sale of Goods under 200 *l.*	1 1 –
			Over 200 *l.*	2 2 –
			Only three, viz.:	
	106. Attending Sale of Vessel	5 00	Same as attending Sale of Goods.	
	108–9. Consul's Seal and Signature.	2 00	Seal and Signature, when required.	– 5 –

Foreign Office, 2 April 1870.

Appendix, No. 9.

Analysis of Expenditure for United States' Consular Service, taken from the United States Appropriation Act of 1868.

Expenses of Consulates in Turkey		2,500	dollars.
Stationery of Consulates		30,000	„
Rent of offices		45,000	„
Salaries		401,000	„
Chinese Consular Interpreters		5,800	„
Consuls in Japan		6,000	„
Consular Courts in Japan, China, Siam, Turkey		9,000	„
Prisons in Japan, China, Siam, Turkey		9,000	„
Ministers Resident, and Consuls General in Liberia and Haiti		11,500	„
	$.	519,800	at 4 *s.* 2 *d.*

equivalent to 108,291 *l.* sterling.

N.B.—The Act of Congress provides for the Consular Officers of the United States, when not receiving fixed salaries, appropriating to their own use all or a portion of the fees received by them.

Charge for British Consular Service, exclusive of *China* and *Japan*, as per Estimates.

	£.		£.
1854–55	125,715	1863–64	166,543
1855–56	125,064	1864–65	166,503
1856–57	130,394	1865–66	166,018
1857–58	135,880	1866–67	165,978
1858–59	145,584	1867–68	166,188
1859–60	156,404	1868–69	171,178
1860–61	168,229	1869–70	166,798
1861–62	168,143	1870–71	163,533
1862–63	167,783		

Charge for British Diplomatic and Consular Services in *China*, *Japan*, and *Siam*, as per Estimates.

		£.
1854–55	Five ports in China	31,150
1855–56	„ ditto	32,605
1856–57	„ ditto	37,104
1857–58	Siam included	49,209
1858–59	„ ditto	41,943
1859–60	Nine ports in China; Siam and Japan included	67,363
1860–61	„ ditto ditto	63,320
1861–62	„ ditto ditto	64,646
1862–63	Thirteen ports in China ditto	86,748
1863–64	„ ditto ditto	81,054
1864–65	„ ditto ditto	99,224
1865–66	„ ditto ditto	102,972
1866–67	„ ditto including buildings in Japan and China, 27,000 *l.*	126,978
1867–68	„ ditto ditto ditto 30,000 *l.*	138,983
1868–69	„ ditto	117,615
1869–70	„ ditto	109,353*
1870–71	„ ditto	99,450

* Diplomatic salaries voted separately for 1869–70.

GENERAL CONSULAR FEES, exclusive of those taken in *Turkey*, *China*, *Japan*, and *Siam*, remitted in the Years specified to the Paymaster General on Public Account.

	£.		£.
1860 - - - - -	4,413	1865 - - - - -	17,280
1861 - - - - -	10,935	1866 - - - - -	17,963
1862 - - - - -	13,005	1867 - - - - -	17,160
1863 - - - - -	15,206	1867-68 - - - - -	17,888
1864 - - - - -	15,406	1868-69 - - - - -	16,904

N.B.—The Fee returns up to 1867 inclusive were made out up to the 31st of December in each year; but since that time they are made out for the financial year ending 31st March.

	£.
The fees taken in the Levant Consulates have hitherto been appropriated for current expenditure on the spot. Hereafter they will be brought to account and remitted to the Paymaster General, and the services provided for in the annual Estimates. These fees amounted in 1868 to - - - - - - - - - -	12,890
In the same manner the Fees and Casual Receipts in China, Japan, and Siam, heretofore appropriated to services on the spot, are now remitted to the Paymaster General. They amounted in 1868–69 to - - - - - -	9,396

Total of Consular and Casual Fees, &c. received in Her Majesty's Consular Services, on Public Account in the Year 1868–69:	
General Service - - - - - - - - - -	16,904
Levant Consulates - - - - - - - - - -	12,890
China, Japan, and Siam - - - - - - - - -	9,396
£.	39,190

ANALYSIS of BRITISH CONSULAR SALARIES, exclusive of those of Consuls in *China*, *Japan*, and *Siam*.

21	Consuls receive salaries from 1,000 *l.* a year upwards. (Six of these being Political Agents.)
5	Consuls receive salaries from 900 *l.* to 1,000 *l.* a year.
18	Ditto - - ditto - 800 *l.* to 900 *l.* „
13	Ditto - - ditto - 700 *l.* to 800 *l.* „
19	Ditto - - ditto - 600 *l.* to 700 *l.* „
26	Ditto - - ditto - 500 *l.* to 600 *l.* „
25	Ditto - - ditto - 400 *l.* to 500 *l.* „
34	Ditto - - ditto - 300 *l.* to 400 *l.* „
31	Ditto - - ditto - 200 *l.* to 300 *l.* „
23	Ditto - - ditto - 100 *l.* to 200 *l.* „
5	Consuls receive salaries under 100 *l.*
220	

Appendix, No. 9.

Suggestions for Improving Position of the Junior Members of the Diplomatic Service.

Attachés.—After two years' service, of which six months shall have been spent in the Foreign Office and 15 months on foreign service, an attaché shall receive salary at the rate of 100 *l.* a year, until such time as by an aggregate length of service of four years, either abroad or in the Foreign Office, and after having passed his second examination, he shall become qualified for a commission as Third Secretary, with a salary of 150 *l.* a year as now.

Third Secretaries.—After five years' service as Third Secretary and until promoted to be a Second Secretary, a Third Secretary shall receive a salary of 200 *l.* a year.

Second Secretaries.—After five years' service as Second Secretary, an addition of 50 *l.* a year shall be made to the salary of a Second Secretary, and after 10 years' service a further addition of 50 *l.* a year, making in the aggregate 100 *l.* a year, to be made to the salary of a Second Secretary, on account of length of service, irrespective of the amount of salary properly belonging to the place which he holds as Second Secretary. This additional salary to be held by the Second Secretary till promoted to be Secretary of Legation.

Secretaries of Legation.—A Secretary of Legation, after five years' service as such, shall receive an addition to his salary, whatever it may be, for length of service, of 100 *l.* a year, until he has completed ten years' service, after which he shall receive an addition of 150 *l.* a year, making on the whole as now 250 *l.* a year to his salary, whatever it may be, according to Mr. Canning's regulation now in force.

Furthermore, and as an encouragement to Secretaries of Embassy, Legation, Second Secretaries, Third Secretaries, and Attachés, any person in these ranks who shall have acquired a fair colloquial knowledge, to be certified by the head of the mission, of the language of the country in which he resides, so as to be able for the purpose of ordinary intercourse with the natives of the country to dispense with the assistance of an interpreter, shall, while employed in China, Japan, Russia, Turkey, Persia, and Greece, receive an especial allowance on that ground of 100 *l.* a year over and above any other salary or allowance that he may receive.

Appendix, No. 10.

PAPER handed in by Mr. *Hammond*, 7 April 1870. Appendix No. 1

COPY of a LETTER from Earl *Russell* to the Lords Commissioners of Her Majesty's Treasury.

My Lords, Foreign Office, 25 June 1863.

I REGRET to have to state to your Lordships that after an experience of several years, I find it impossible that the public service of this office should be carried on with the number of foreign service messengers who, since the year 1858, have been attached to this office.

Up to that period the stated number was eighteen, though in times of great emergency that number was insufficient, and it was necessary occasionally to employ persons unconnected with the office as well as the home service messengers, in conveying despatches to Her Majesty's representatives at foreign courts.

The Earl of Malmesbury in proposing to the Board of Treasury to reduce the establishment of foreign service messengers from eighteen to fifteen was under the impression that the extension of the electric telegraph throughout the continent would enable the Secretary of State very materially to reduce the numbers of journeys on which it would be necessary to employ messengers.

But the result has proved otherwise, and although if the state of Europe was generally one of tranquillity, which I need not tell your Lordships is very far from being the case now, nor very likely to be so hereafter, the wants of the office might possibly be provided for by fifteen foreign service messengers, that number has for a very long time past been found to be wholly inadequate to meet the demands of the public service.

I need hardly tell your Lordships that I should not feel myself justified in entrusting despatches to any chance person who might be picked up on an emergency; and it has been fortunate that I have been able at times to secure for occasional journeys the services of secretaries and attachés and retired foreign messengers, and of one or two other persons upon whom I could rely. Yet even with this assistance it constantly happens that the home service messengers must be sent on foreign journeys to the very serious inconvenience of the office and to the great disorganization of the latter service, which is not more than sufficiently provided for, when all the messengers are on duty.

I cannot doubt that in consideration of the circumstances which I have thus set forth, your Lordships will assent to the proposal which I have now the honour to lay before you, that the establishment of foreign service messengers should be increased by two, namely, from fifteen to seventeen; and I should be glad to be made acquainted at an early day with your concurrence in this increase.

I have, &c.
(signed) *Russell.*

Appendix, No. 11

PAPERS handed in by Mr. *Alston*, 7 April 1870.

STATEMENT in Detail of the EXPENDITURE on ACCOUNT of

NAME.	A. Salaries, Wages, and Allowances.	B. Journeys on Public Service.	C. Special Missions and Services.	D. Outfits.	E. Printing and Stationery.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d
Austria	560 1 10	107 – 8	- -	140 – –	6 4 (
Bavaria	- -	14 2 6	- -	- -	- -
Belgium	193 4 3	25 18 4	- -	890 – –	1 8
Brazil	355 19 6	159 8 9	- -	25 – –	– 13
Buenos Ayres	59 19 4	194 12 –	- -	- -	– 9 1(
Central America	224 12 11	208 – 1	- -	- -	- -
Chile	250 – –	- -	- -	- -	- -
Coburg	- -	18 14 11	- -	- -	- -
Colombia	100 – –	41 8 –	- -	- -	- -
Darmstadt	- -	- -	- -	- -	- -
Denmark	218 9 7	1 17 11	- -	- -	- -
Equator	150 – –	- -	- -	- -	- -
France	1,317 1 10	87 14 1	- -	200 – –	130 3 11
Frankfort	—	—	—	—	—
Greece	296 3 9	28 4 9	- -	- -	18 1 9
Rome	- -	- -	- -	- -	- -
Hanse Towns	- -	1 19 6	- -	- -	1 15 1(
Italy	253 12 5	189 5 9	- -	- -	7 17 1(
Mexico	- -	119 19 –	- -	- -	- -
Monte Video	150 – –	- -	- -	- -	- -
Morocco	280 – –	322 5 4	- -	- -	- -
Netherlands	175 1 2	213 6 9	- -	- -	- -
Peru	300 – –	- -	- -	- -	- -
Portugal	199 1 2	64 19 11	- -	- -	– 13
Prussia	387 5 –	299 11 10	- -	140 – –	7 15
Russia	527 16 2	78 13 6	- -	- -	166 7 7
Saxony	36 – –	- -	- -	- -	- -
Spain	513 18 –	47 – –	- -	100 – –	9 13 9
Sweden	195 17 2	100 1 6	- -	180 – –	8 1 4
Switzerland	189 16 –	53 13 11	- -	1,100 – –	- -
Turkey	6,008 12 9	82 13 9	- -	- -	52 4 –
United States	354 2 1	125 16 7	- -	- -	9 9
Venezuela	150 – –	- -	- -	- -	- -
Wurtemburg	150 – –	153 5 6	- -	- -	4 17
Geneva Conference respecting Treatment of Wounded in War	- -	- -	165 7 6		
Turco-Persian Boundary Commission	- -	- -	2,019 19 9		
Mixed Commission in the United States respecting Claims of the Hudson's Bay and Puget Sound Companies	- -	- -	2,314 19 –		
Journey to and from, and Residence in Lucerne, in attendance on the Queen	- -	- -	522 19 1		
Mixed Commission at St. Petersburg on Explosive Missiles	- -	- -	233 4 7		
Mosquito Land Grants Commission	- -	- -	87 18 1		
Mixed Commission at Cadiz for Settlement of Indemnity in case of "Mermaid"	- -	- -	1,218 9 8	- -	- -
Commission on Commercial Negotiations at Vienna	- -	- -	1,185 1 –		
European Commission for Improvement of the Navigation of the Danube	- -	- -	3,443 7 8		
Niger Expedition	- -	- -	385 18 3		
Commission respecting the Navigation of the Bosphorus	- -	- -	264 10 –		
Commission for inquiring into British Claims on Venezuela	- -	- -	252 10 –		
£.	13,596 14 11	2,739 14 10	12,094 4 7	2,775 – –	415 17 3

Appendix No. 11.

PAPERS handed in by Mr. *Alston*, 7 April 1870.

INISTERS EXTRAORDINARIES for the Year 1868–9.

F. Postage.	G. Fuel and Light.	H. Rent.	I. Furniture.	K. Law Charges.	L. Bankers' Commission, Loss by Exchange, &c.	M. Incidental Expenses.	N. Pensions.	TOTAL.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
5 12 7	- -	- -	- -	20 - -	- -	51 3 9	- -	1,070 3 4
2 1 5	- -	- -	- -	- -	22 12 -	13 19 9	- -	112 15 8
5 10 10	- -	- -	- -	- -	40 13 3	18 14 3	- -	1,295 9 3
6 15 6	- -	- -	- -	- -	- -	9 2 10	- -	566 19 9
2 - 9	- -	- -	- -	- -	104 9 -	11 9 9	- -	383 - 8
8 - 8	- -	- -	- -	- -	- -	2 19 4	- -	603 13 -
7 7 7	- -	- -	- -	- -	- -	1 2 9	- -	258 10 4
1 18 9	- -	- -	- -	- -	5 7 1	- -	- -	36 - 9
2 7 6	- -	- -	- -	- -	- -	6 19 10	- -	260 15 4
9 - 5	- -	- -	- -	- -	5 1 9	3 8 4	- -	37 10 6
2 2 2	3 5 8	- -	- -	- -	1 4 3	14 14 9	- -	331 14 4
3 16 1	- -	- -	- -	- -	- -	- -	- -	193 16 1
7 6 9	1,000 - -	- -	- -	136 3 1	- 10 6	3,359 12 11	96 19 2	6,855 12 3
—	—	—	—	—	—	—	—	—
1 13 10	- -	- -	- -	13 - -	- -	59 11 2	- -	666 15 2
7 18 3	- -	- -	- -	- -	- -	- -	- -	37 18 3
6 1 1	- -	- -	- -	- -	- -	- -	- -	19 16 5
0 13 3	- -	- -	- -	- -	22 14 11	47 10 1	40 19 8	751 13 11
-	- -	- -	- -	- -	- -	- -	- -	119 19 -
- 6 5	- -	- -	- -	- -	- -	14 5 3	- -	164 11 8
4 2 8	- -	- -	- -	- -	- -	1 13 -	- -	608 1 -
9 3 3	- -	- -	- -	29 6 4	46 3 7	33 15 3	- -	686 16 4
4 12 1	- -	- -	- -	- -	- -	1 - 4	- -	305 12 5
0 13 3	- -	63 9 -	-	63 14 -	- - 6	263 8 3	- -	815 19 4
4 4 3	- -	- -	6 7 1	- -	61 13 11	67 17 5	31 13 4	1,196 8 3
3 6 9	- -	- -	- -	- -	107 9 3	277 12 6	- -	1,401 5 9
1 13 1	- -	- -	- -	- -	- -	11 3 6	- -	78 16 7
5 5 2	- -	160 - -	- -	- -	8 7 3	71 7 8	60 - -	1,365 11 10
3 13 11	- -	- -	- -	- -	- -	9 18 5	12 19 8	660 12 -
5 17 4	- -	- -	- -	10 - -	8 10 5	15 19 2	- -	1,533 16 10
6 19 -	297 16 3	- -	- -	- -	446 18 2	2,216 11 4	- -	9,511 15 3
8 15 4	- -	- -	4 4 8	206 3 9	35 2 2	42 8 11	- -	826 2 11
8 14 5	- -	- -	- -	- -	33 3 6	14 8 3	- -	236 6 2
5 12 9	- -	- -	- -	- -	11 4 7	15 2 8	- -	330 2 11
-	-	- -	- -	- -	- -	- -	- -	12,094 4 7
					961 6 1			
				Less, Saving at Stockholm.	10 - 6			
13 7 1	1,301 1 11	223 9 -	10 11 9	478 7 2	951 5 7	6,657 1 5	251 11 10	45,408 7 4

CONSULS ABROAD, 1868–9.

EXPENDITURE Charged to the Sub-Head "CHAPELS and CHAPLAINS," in the Year 1868–9.

Contribution to—	£.	s.	d.
Church at - - Antwerp (1867) -	110	3	4
Ditto - - Rio de Janeiro (1867).	349	5	11
Ditto - - Pernambuco - -	360	–	–
Ditto - - Bahia (1867) -	258	19	6
Burial Ground - Do. (1867) -	29	17	11
Church at - - Buenos Ayres -	616	4	11
Scotch Church at Ditto - -	458	9	10
Church at - - Valparaiso - -	300	–	–
Ditto - - Batavia - -	436	5	3
Ditto - - Oporto (1867) -	273	–	–
Cemetery - - Coruna (1867) -	26	–	10
Church at - - Monte Video - -	464	14	5
Ditto - - St. Thomas (1867) -	200	–	–
Ditto - - Caen (1867) - -	210	9	4
Ditto - - Nice - - -	100	–	–
Cemetery - - Tripoli - - -	5	–	–
Ditto - - Tunis - - -	5	–	–
Church at - - Lima - - -	291	16	7
Ditto - - Trieste - - -	193	2	10
Ditto - - Ostend - - -	126	2	5
Ditto - - Antwerp (1868) -	114	10	1
Ditto - - Rio de Janeiro (1868).	429	13	3
Church at - - St. Thomas (1868) -	200	–	–
Ditto - - Bahia (1868) -	310	8	4
Burial Ground - Do. (1868) -	25	12	2
Church at - - Alexandria - -	422	2	–
Scotch Church at Ditto - -	223	–	–
Church at - - Marseilles - -	250	3	3
Scotch Church at Paris - - -	145	7	6
Church at - - Bordeaux - -	240	9	3
Ditto - - Caen (1868) - -	100	12	–
Ditto - - Calais - - -	166	18	2
Ditto - - Dunkirk - -	131	5	–
Ditto - - Hamburg - -	178	17	–
Ditto - - Genoa - - -	154	10	–
Ditto - - Amsterdam - -	238	6	7
Ditto - - Rotterdam - -	125	18	7
Ditto - - Oporto (1868) -	293	10	5
Ditto - - Madeira - -	219	6	10
Ditto - - Malaga - - -	163	9	9
Ditto - - Stockholm - -	359	–	–
Ditto - - Gottenburg - -	148	19	4
Ditto - - Christiana - -	221	18	9
Ditto - - Corfu - - -	152	11	–
Ditto - - Leghorn - -	181	7	2
TOTAL - - - £.	10,012	9	6

SERVICES IN CHINA, JAPAN, AND SIAM, 1868–9.

EXPENDITURE Charged to the Sub-Head "CHAPELS and CHAPLAINS," in the Year 1868–9.

	£.	s.	d.
Contribution to Church at Canton - - - - -	467	10	–
Ditto - - ditto - Chinkiang - - - - -	2	3	–
Ditto - - ditto - Hankow - - - - -	506	4	1
Ditto - - ditto - Foo-chow-Foo - - - -	516	7	6
Ditto - - ditto - Pekin - - - - - -	295	11	8
Ditto - - ditto - Kinkiang - - - - -	67	1	8
Ditto - - ditto - Kanagawa - - - - -	449	8	8
TOTAL - - £.	2,304	6	7

Appendix, No. 12.

PAPERS handed in by Mr. *Kaye*, 11 April 1870. Appendix, No. 12.

PERSIAN MISSION.

LETTER from Lord *Malmesbury* to Lord *Stanley*.

My Lord, Foreign Office, 12 November 1858.

I HAVE the honour to state to your Lordship that the Government of India being now directly administered by the Crown, it appears to me that it would be desirable that the management of the diplomatic and consular correspondence with Persia should be transferred to the Secretary of State for India.

It was placed, as your Lordship is aware, under the superintendence of the Secretary of State for Foreign Affairs in the year 1836, in consequence of its being supposed that the counsels of Great Britain would have more weight with the Persian Government if urged in the name of the Sovereign than if tendered merely on behalf of the East India Company, and from that time the representatives of the British Government in Persia have always communicated with the Persian Government under credentials from the Crown, although they were also provided with credentials from the Governor General of India. But under existing circumstances there is no longer the same motive for separating the superintendence of British relations with Persia from that department by which it can most conveniently be exercised, for it cannot be questioned that the interest of Great Britain in Persia is founded on the position which this country occupies in India, and that almost every matter which may come under discussion between this country and Persia, more or less concerns the British Government in India.

At the same time, however, the intercourse of Persia with European nations has considerably increased since the year 1836, and many questions may from time to time arise in Persia in regard to which the diplomatic interference of Her Majesty's representatives at the several Courts of Europe may be required.

In proposing, therefore, to transfer to the Secretary of State for India the superintendence of British relations with Persia, I think it right to point out that in the event of that transfer being made, it will be indispensable that the Secretary of State for Foreign Affairs should be kept accurately informed on all diplomatic transactions which may take place with the Court of Teheran, inasmuch as any communications to be held with foreign courts in regard to such matters must necessarily pass through the Foreign Office.

This also appears to be indispensable in regard to questions which arise in Persia, and which bear more or less upon the relations of that country with Turkey. The practice, therefore, of sending his Despatches under flying seal, through Her Majesty's ambassador at Constantinople, should be continued by the minister at Teheran.

Your Lordship is aware that the expenses of the Persian Mission have been defrayed by the East India Company, who have paid on that account a sum of Twelve Thousand Pounds (12,000 *l.*) a year into the Treasury. I enclose an account which I have received from the Treasury, showing the state of the fund at the present time, and as soon as the arrangement for the transfer has been made, I will apprise the Board of Treasury of the fact; and request that their Lordships will communicate with your Lordship, who will make arrangements to meet charges which may come in between the period of the transfer and the receipt by the mission in Teheran of instructions from the India Office as to the manner in which they are to draw for the future. But I may state at once that the salaries of the envoy and secretary of legation have been paid at the Treasury, while those of the subordinate members of the mission have been paid at Teheran by bills on Her Majesty's Treasury.

With the transfer of the mission it will be necessary that the consulates should also be transferred to the Secretary of State for India. These are three in number, namely, a consulate general at Tabreez, a consul at Teheran, and a consul for Resht and the Caspian ports. The salaries and expenses of these consuls have hitherto been defrayed from the Consular grant, but henceforth they must be provided by the revenues of India.

I enclose a statement, specifying the names of the different officers employed under the direction of this office in Persia, with the rate of salaries assigned to each of them, and the allowances for office expenses in the case of consuls; and also a general statement of the items of extraordinary expenditure which are allowed to be charged in the mission accounts.

Appendix, No. 12.

The correspondence with Persia has been forwarded to Constantinople once a month by the messenger sent with the Despatches for Her Majesty's Embassy, and the Embassy has sent on the Despatches as far as Tabreez, from whence they have been forwarded by messengers in the service of the Persian Mission. The expenses incurred by the Embassy on this account have formed a charge on the sum paid by the East India Company. The Embassy can, if your Lordship pleases, continue to provide for this service after the transfer, unless indeed it should be preferred to leave the duty, as in former times, to an agent paid by the Indian Government, the Despatches being in either case forwarded between this country and Constantinople by the Foreign Office messenger.

In order to secure uniformity, it may be convenient that the credentials for ministers and commissions for secretaries of legation and consuls in Persia, should continue to be made out in the Foreign Office, although sent, when ready for signature, to the India Office, in order that the Secretary of State for India may submit them for Her Majesty's signature, and that the seal may be then affixed to them at the India Office.

It will probably also be most convenient that the whole of the correspondence, both foreign and domestic, with Persia since the transfer of the mission in 1836, from the India Company to the Crown, should at once be transferred to the Secretary of State for India, with the understanding that any reference which circumstances may require the Secretary for Foreign Affairs to make to the archives of past years, shall be immediately attended to by the Secretary for India; and I shall be prepared, with your concurrence, to give directions accordingly.

As soon as the arrangements set forth in my present letter are concurred in by your Lordship, I will acquaint Her Majesty's Minister and consuls with the change, and desire them thenceforth to correspond with the India Office instead of with the Foreign Office.

It appears to me desirable to add that the above proposal is intended only as a transfer by the Crown of the duties of one of Her Majesty's Secretaries of State to another, for the sake of an improvement in a particular portion of the public service, and that Her Majesty, whose sanction I have obtained to the said transfer, wishes it to be distinctly understood that the appointment of any ambassadors, ministers, secretary or consul, will remain as at present, vested exclusively in the Crown.

The Queen having the power to charge any individual Secretary of State with a special duty, would, by my proposal, simply place the duties and responsibility of the Persian Mission in your Lordship's hands instead of mine.

I have, &c.
(signed) *Malmesbury.*

The Right Honourable Lord Stanley,
&c. &c. &c.

STATEMENT specifying the Names of the different OFFICERS employed under the Directions of the Foreign Office in *Persia*, with the Rates of Salary assigned to each of them, and the Allowances for Office Expenses in the case of Consuls; and also a General Statement of the Items of Extraordinary Expenditure which are allowed to be Charged to the Mission Accounts.

RANK OR STATION.	NAME.	Salary.
		£.
Envoy Extraordinary and Minister Plenipotentiary.	Honourable C. A. Murray, C.B. -	5,000
Secretary of Legation	William Doria - - - -	750
1st Paid Attaché -	Ronald Fergusson Thomson - -	510
2nd - ditto - -	William J. Dickson - - -	350
3rd - ditto - -	Francis Attiwell Adams - -	250
Attaché - - -	Edmund D. V. Fane - - -	150
Surgeon - - -	Dr. J. R. L. Dickson - - -	600
1st Persian Secretary -	Meerza Agha - - - -	218
2nd - ditto -	Moolla Mahomed Sauleh - -	120
	£.	7,948
	£.	
Consul at Teheran -	Richard Stevens (Salary) - 500	
	Allowance for expenses - 100	
		600
Ditto at Tabreez -	Keith Edward Abbott - - 500	
	Allowance for expenses - 150	
		650
Ditto at Resht - -	Chas. Fras. Mackenzie - 500	
	Allowance for expenses - 150	
		650
	£.	1,900

Contingent or Extraordinary Expenses charged in the Quarterly Accounts of the Mission.	Quarter ended 30 September 1857.	Quarter ended 31 December 1857.	Quarter ended 31 March 1858.	Quarter ended 30 June 1858.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Journeys on service and removals of the Mission; Presents to the Shah and family, and customary presents to public officers on the New Year, and on audiences of the Shah; Expenses of Couriers between the residences of the Mission and the frontiers of Turkey; Ditto, between the frontiers of Turkey and Constantinople; Rent of houses for the Mission, and repairs of furniture for ditto; Wages of servants and guards attending on the Mission; Expense of horses kept for the service of the Mission; other miscellaneous - - - - -	1,583 10 –	1,649 12 8	1,097 15 11	1,023 11 10	5,354 10 5

	£. s. d.
Diplomatic Salaries -	7,948 – –
Consular - - -	1,900 – –
Contingencies - -	5,354 10 5
	£. 15,202 10 5

Appendix, No. 12. STATEMENT of the Aggregate Sums Received and Expended in each Year since 1845 up to the present time, on Account of Her Majesty's Mission in *Persia*.

Years.	Receipts.			Years.	Payments.		
	£.	s.	d.		£.	s.	d.
March 1846	12,000	–	–	March 1846	13,454	9	6
„ 1847	12,000	–	–	„ 1847	11,412	7	4
„ 1848	12,000	–	–	„ 1848	12,384	17	11
„ 1849	12,000	–	–	„ 1849	15,091	13	6
„ 1850	12,000	–	–	„ 1850	11,215	1	10
„ 1851	9,000	–	–	„ 1851	9,405	3	5
„ 1852	12,000	–	–	„ 1852	12,854	12	–
„ 1853	15,000	–	–	„ 1853	8,934	19	4
„ 1854	12,000	–	–	„ 1854	11,498	9	–
„ 1855	12,000	–	–	„ 1855	9,282	1	3
„ 1856	12,000	–	–	„ 1856	15,019	14	5
„ 1857	12,000	–	–	„ 1857	14,351	13	3
„ 1858	9,000	–	–	„ 1858	17,776	8	8
Sept. 1858	6,000 (Six months.)	–	–	Sept. 1858	7,835 (Six months.)	–	1

Paymaster General's Office, 9 November 1858.

(signed) *E. A. Hoffay.*

LETTER from Lord *Stanley* to Lord *Malmesbury*.

My Lord, India Office, 17 November 1858.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 12th instant, stating that, in the opinion of your Lordship, the Government of India being now directly administered by the Crown, it is expedient to transfer the superintendence of British relations with Persia to the Secretary of State for India, and intimating that the sanction of Her Majesty has been given to the proposed arrangement.

In the considerations which have prompted your Lordship to suggest this important change I entirely concur; and strongly impressed that it will promote the interests of India, I cheerfully take upon myself the additional responsibilities which it involves. I shall lose no time in laying before the Council of India your Lordship's letter, with my reply, and requesting them to sanction such financial arrangements as may be rendered necessary by the transfer.

To the suggestions offered by your Lordship with respect to the conduct of the diplomatic correspondence, every attention shall be paid. I appreciate the importance of keeping Her Majesty's Secretary of State for Foreign Affairs, and Her Majesty's ambassador at Constantinople, fully informed of all matters connected with the relations of the British Government with the Court of Teheran.

For the reception of the records which your Lordship proposes to transfer to the India Office, immediate arrangements will be made. I need not add that every facility of access to them will at all times be afforded to the department over which your Lordship presides.

I do not conceive that it would, at present, be advantageous to disturb the existing arrangements for the conveyance of the correspondence between Great Britain and Persia, though the system of inter-communication between the two countries may, at some future period, be otherwise determined, by the extension of railroads and electric telegraphs.

I have only to add that I concur in the suggestion offered by your Lordship with respect to the preparation at the Foreign Office of credentials for Ministers, and commissions for secretaries of legation and consuls in Persia. It will be the duty of the Secretary of State for India to recommend to Her Majesty fit persons for appointment to these offices; but to secure uniformity, the forms of appointment may expediently be made out at the Foreign Office, and then forwarded to this department, for the seal and signature of the Secretary of State for India.

I have, &c.
(signed) *Stanley.*

Appendix, No. 13.

(Separate.)

LETTER from Mr. *Christie* to Lord *John Russell.* Appendix, No. 13.

My Lord, Rio, 26 July 1860.

Mr. SCARLETT having represented to the Earl of Clarendon in his Despatch, separate of 10 October 1856, the great increase of late years in the expense of living at Rio de Janeiro, and especially the difficulty of obtaining a large house, and the enormous rate of house rent, received a reply (separate of 8 December 1857), granting him an additional allowance of 200 *l.* a year, to enable him to provide accommodation in the country during the unhealthy season at Rio. Mr. Scarlett had not made any reference to the need of a country house, or requested the addition in the particular manner in which it was granted, but had dwelt on the general expensiveness of living in Rio.

I revert to this subject, not in order to ask for any addition to the allowances as they now stand for this mission, but in order to explain that, besides the general discretion which is, I believe, left to a Minister, as to the appropriation of his house rent allowance, I have felt that I might regard the addition of 200 *l.* made, in consequence of Mr. Scarlett's application, to the house rent allowance of this mission, as a contribution to its general expenses, and that I have established my residence at Petropolis, where I have with me the archives of the mission. I proceed to explain my reasons for doing so, which I hope will meet with your Lordship's approval.

The heat of Rio is such that an European can live in its suburbs, without other discomfort than that of insects, only during four months of the year, and it is positively dangerous from yellow fever during six months, more or less, from January to June.

At Petropolis, which is at an elevation of 2,000 feet, there is, all the year round, a temperate and healthy climate; the Emperor has a palace which he always constantly lives in during the six hottest months; there are houses fit for the residence of a foreign Minister; with the aid of steamers and railroad one ascends from Rio in five hours, and descends in four; there are telegraphic wires from Rio which immediately inform me of anything that may require my presence, and I can go down and return, if I wish, in the same day.

Those diplomatists who live chiefly in Rio, live not in the city, but in a suburb some four or five miles from the centre. Mr. Scarlett's house, which he spoke of in his Despatch to which I have already referred, and for which he paid 540 *l.* a year unfurnished, was still further, seven miles at least from the centre of Rio, and 12 from the palace inhabited by the Emperor in another suburb. The high rate of house rent, and still more the great difficulties of domestic service in Rio, lead many of the Ministers, and nearly all the junior members of the missions, to live at hotels.

The only Ministers, besides the Royal Internuncio, who have houses in Rio, are the French and Austrian Ministers, who have lived almost all their lives in this country, and married Brazilian ladies, and the Portuguese and Oriental Ministers, who have necessarily special relations and sympathies with Brazil.

The Russian Minister has his residence all the year round at Petropolis.

I arrived in Brazil at the beginning of the yellow fever season, and proceeded at once to Petropolis. It is only within the last month that yellow fever is extinct in Rio and its suburbs; and having, in the meantime, acquired seven months' experience of the business of this mission, I am able to assure your Lordship that I can discharge my duties and fulfil the objects of Her Majesty's mission as well, when established at Petropolis, as if I made my chief residence in a suburb of Rio.

I should mention that there is extremely little business at this mission requiring interviews with British subjects; there are very few occasional visitors; the general wants of the resident British community have always been met by our excellent Consul, whose office is necessarily in the centre of the city. If any British subject wishes to see me on business in Rio, I consider it my duty to go down and see him; only two cases have occurred since my arrival, of British subjects requiring to see me on business.

I have thought it right to explain all these circumstances to your Lordship, and I hope you will be satisfied with my arrangements. My establishment at Petropolis necessarily takes more of my house rent allowance than would be needed for an occasional country house, and the remainder may be considered as absorbed in the expenses of visits to Rio, and in additional expenses arising out of my not having a house there; for instance, wishing to entertain the Brazilian Ministers, the Corps Diplomatique, and a number of British subjects, on Her Majesty's birthday, I gave a dinner at a principal hotel in Rio, at a much greater expense than I should have incurred if I had had my establishment there.

At the same time I am glad to be able to admit, that the arrangement which I make will, on the whole, be an economical one, the general expenses of living at Petropolis being lower than at Rio. But reverting to Mr. Scarlett's estimate of expenses at Rio, which I can quite corroborate, I have no hesitation in saying that I could not maintain a large house and establishment in Rio, together with such a house as I should find necessary for health, and suitable to my position at Petropolis, for the allowances of this mission, which, with the exception of the additional 200 *l.* a-year granted in Mr. Scarlett's time, were calculated when the expenses of living in Brazil were less than half of what they are now. Mr.

Appendix, No. 13.

Scarlett stated in October 1856:—"Within the last six years the price of everything in Brazil has more than doubled, indeed I am assured by the Russian Chargé d'Affaires, that he calculated living at Rio de Janeiro to be 25 per cent. dearer than at St. Petersburg." This was in 1856. In my Despatch to your Lordship, No. 18, of 13th February, of this year, was enclosed a letter from Mr. Castello, an old resident in Rio, who says, that within the last four years house rent and prices have risen 50 to 75 per cent., and in some cases even as much as 100 per cent.

The comparative economy of living at Petropolis is of course of more importance to the junior members of the mission, even than to myself. My living here has led to the establishment of the secretary and attachés at Petropolis. I was happy to hear that your Lordship had admitted the increased expense of living in Brazil as a reason for increasing the secretary's salary; but a secretary with a family could not possibly, having a house at Rio, live except at an expense considerably beyond the increased salary. The attachés would live there at hotels, and could not live with the greatest economy for less than 600 *l.* or 700 *l.* a year; and I have reason to believe that they are fully sensible of the superior advantages of a residence at Petropolis.

The statements which I have made will, I am sure, be confirmed by any of my predecessors, and I would refer confidently to any of them as to the general advantages and fitness of a residence at Petropolis. For myself, however, I must add that, having suffered since I came into this country from asthma, I cannot pass a night in Rio without great inconvenience, and I am satisfied from recent experience, that it would be impossible for me to live there, even in the coolest season.

I have, &c.
(signed) *W. D. Christie.*

The Right Honourable the
Lord John Russell, M.P.,
&c. &c.

(No. 159.)

LETTER from Mr. *Christie* to Lord *John Russell.*

My Lord, Rio de Janeiro, 12 December 1860.

I HAVE had the honour of receiving your Lordship's Circular Despatch, No. 70, of 6th November, enclosing a copy of another Circular Despatch addressed to certain embassies and missions, where the business is more extensive, on the duties of secretaries, attachés, and other officers; and I understand that the Circular Despatch is to serve generally, but not rigorously, as a guide for this mission.

I think it right to state to your Lordship that, as this mission is conducted, there is no regular chancery, and that there is no need for one, there being no passport business, and the business for the junior members consisting exclusively of copying, which they do at their own residences, one of them visiting me daily for instructions.

The archives are kept in my house, and are under the superintendence of the paid attaché.

The accounts of extraordinary expenditure have for many years past been superintended by the clerk of the mission, and I see no reason for disturbing this arrangement.

I have not hitherto complied with an instruction in your Lordship's Circular Despatch, No. 11, of 24th January, viz., to inform you, "what part of the public business of the mission is undertaken by the secretary, and whether he is in daily attendance at the diplomatic chancery."

Mr. Baillie did not arrive at this post till some little time after my receipt of that Despatch. I have now the honour to state that Mr. Baillie, except while absent on his recent tour in search of commercial information, has taken his share with the attachés in the copying of correspondence, and that all instructions as to correspondence will in future be sent by me to him, that he may distribute the work.

I wish to ask your Lordships whether I am right in understanding that the passage of your Lordship's Circular of 6th November, on the duties of the secretary, does not exempt him from a share in the actual work of copying. I ask this not in consequence of any doubt or difficulty raised by the secretary of this legation, but because I think it much better for all parties that your Lordship's precise meaning should be correctly understood. In this mission, as I have already said, there is no necessity of daily attendance at a chancery, the business is almost exclusively correspondence, and with only one paid attaché, and generally only one of two unpaid attachés in residence, the secretary's assistance in copying is generally useful, and when either the paid or unpaid attaché is away, indispensable.

I have, &c.
(signed) *W. D. Christie.*

The Lord J. Russell, M.P.

Appendix, No. 14.

PAPERS handed in by Mr. *Alston*.

NUMBER of NEW APPOINTMENTS in HER MAJESTY'S DIPLOMATIC SERVICE on the 1st of January since 1850, arranged in Classes.

YEAR.	Ambassadors.	Ministers.	Chargés d'Affaires.	Secretaries of Embassy.	Secretaries of Legation and Oriental Secretaries.	Paid Attachés.	Second Secretaries.	Third Secretaries.	Unpaid Attachés.	Number of New Appointments.
1851	3	23	7	3	24	28	–	–	14	2
1852	2	24	7	2	25	29	–	–	18	15
1853	2	23	7	2	24	29	–	–	28	6
1854	2	23	7	2	24	30	–	–	27	9
1855	2	23	9	2	24	29	–	–	30	10
1856	2	23	9	2	24	31	–	–	36	1
1857	2	24	8	2	25	30	–	–	36	6
1858	2	24	8	2	25	31	–	–	38	9
1859	2	25	8	2	27	35	–	–	37	15
1860	2	26	7	2	28	34	–	–	44	1
1861	2	26	7	2	28	36	–	–	44	2
1862	4	24	6	4	25	37	–	–	43	2
1863	5	23	6	5	25	–	37	17	33	1
1864	5	23	6	5	24	–	36	26	11	1
1865	5	23	6	5	24	–	35	30	6	2
1866	5	23	6	5	24	–	35	26	6	7
1867	5	22	7	5	24	–	35	16	12	1
1868	5	19	7	5	24	–	35	15	12	1
1869	5	18	7	5	23	–	33	15	10	8
1870	5	18	6	5	24	–	34	13	17	–

NUMBER of DIPLOMATIC SERVANTS in each Grade, for each Year since 1850, PENSIONED or RETIRED from SERVICE, or ceasing to be Employed in such SERVICE.

YEAR.	Ambassadors.	Ministers.	Chargés d'Affaires.	Secretaries of Embassy.	Secretaries of Legation.	Paid Attachés.	Second Secretaries.	Third Secretaries.	Attachés.
1851	1	2	-	-	1	2	-	-	1
1852	-	1	2	-	-	1	-	-	3
1853	-	3	1	1	1	2	-	-	2
1854	-	-	3	-	-	1	-	-	2
1855	-	1	-	-	-	2	-	-	3
1856	-	2	-	-	-	2	-	-	1
1857	-	-	1	-	-	2	—	—	—
1858	1	7	1	-	2	-	-	-	1
1859	-	2	-	-	3	3	-	-	1
1860	-	1	-	-	1	1	—	—	—
1861	-	1	1	-	1	—	—	—	—
1862	-	1	-	-	3	-	-	-	4
1863	-	2	-	-	1	-	3	-	3
1864	-	1	1	-	-	2	1	-	1
1865	1	1	1	1	1	-	-	1	1
1866	1	2	1	-	1	-	1	1	—
1867	1	5	-	-	1	-	1	-	1
1868	-	2	-	1	-	-	-	1	—
1869	-	1	2	-	2	-	1	—	—
1870	-	-	-	-	-	-	1	1	—

Appendix, No. 15.

Appendix, No. 15. RETURN of the Number of LETTERS received in each Year from 1860 to 1869 inclusive, by the Secretary of State for Foreign Affairs from the Secretary of State for *India*, on the subject of any communication from the British Minister in *Persia*, with a STATEMENT of the Number of such LETTERS in each Year as related to the Political Interests of *India*, and its relations to Foreign States.

1860.

	1860:		
India Office -	Jan. -	Financial arrangements. Mission and Consulate.	
	18 Feb. -	Herat. Perso-Afghan relations - -	Reply to Foreign Office, approving Foreign Office instruction.
	3 March -	For copies of treaty with Persia.	
	6 „ -	British policy in Persia - - -	Approving Foreign Office instruction.
	6 „ -	Relations between Great Britain and Persia.	- ditto.
	8 „ -	Persian Mission. Captain Reilly and Mr. Taylor.	Reply to Foreign Office letter.
	24 April -	Persian Consul General in Bombay -	- ditto.
	5 May -	Lieutenant Wyburd's fate - - -	For inquiries respecting.
	14 „ -	House-rent at Tabreez - - -	Reply to Foreign Office letter.
	25 „ -	Saiyid Abdullah's claims - - -	- ditto.
	25 „ -	Dost Mahomed's attack on Bokhara -	- ditto.
	25 „ -	Mr. Murray's support of Prince Mahomed Riza.	- ditto.
	16 June -	Telegraph. Bagdad and Basrah.	
	27 „ -	Communications with ruler of Kabul -	Reply to Foreign Office letter.
	3 July -	Bahrein. Mem. - - - - - -	- ditto.
	29 August -	Ghilan. Returning papers - - -	- ditto.
	9 Oct. -	Kabul, Bokhara, and Herat - - -	Papers for perusal.
	9 „ -	Bahrein - - - - - - -	Papers for perusal and remarks.
	19 „ -	Shiraz Consulate - - - - -	Reply to Foreign Office letter.
	9 Nov. -	Saiyid Abdullah's pension - - -	Reply to Foreign Office letter, suggestions, questions, and Foreign Office order.
	22 „ -	Envoy from King of Kokan at Peshawar	Papers for perusal.
	23 „ -	Herat - - - - - - - -	Reply to Foreign Office letter.
	4 Dec. -	Prince Mahomed Riza - - -	- ditto.
	4 „ -	Mr. Murray's salary.	

NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.* Appendix, No. 15.

1861.

	1861:		
India Office -	14 Jan. -	Mr. Alison's letter to Captain Pelly -	Reply to Foreign Office.
	1 Feb. -	Prince Mahomed Riza Mirza - -	- ditto.
	2 „ -	Mission House, Tabreez - - -	- ditto.
	11 „ -	Bahrein. Letter from Bombay Government	Proposed reply.
	22 „ -	Income tax and Custom's dues, India -	Reply to Foreign Office.
	27 „ -	Privileges of Persians in India - -	- ditto.
	9 March -	Mahomed Ali Agha. House-rent - -	- ditto.
	15 „ -	Mahomed Riza. Support, &c. - -	- ditto.
	26 „ -	Rifles for Ruler of Herat - - -	- ditto.
	26 „ -	News-writer at Yezd - - - -	- ditto.
	26 April -	Mahomed Ali Agha's claim - - -	- ditto.
	13 May -	Saiyid Abdullah's pension - - -	- ditto.
	17 „ -	Telegraph. Through Persia to India.	
	1 June -	- ditto - - ditto.	
	6 „ -	Telegraph. Through Persia to India, and Baghdad to Basrah.	Reply to Foreign Office.
	11 Sept. -	Herat and Kabul.	
	26 „ -	Telegraph. Through Persia to India.	
	6 Oct. -	Saiyid Abdullah.	
	20 Nov. -	Proceedings in Persian Gulf - -	Reply to Foreign Office.
	26 „ -	Telegraph.	
	29 „ -	Captain Young - - - - -	Reply to Foreign Office.

1862.

	1862:		
India Office	22 Jan. -	Telegraph.	
	31 „ -	Mission Treasurer's claim against Mr. Stevens.	Reply to Foreign Office.
	8 Feb. -	Bahrein.	
	10 March -	Telegraph.	
	9 May -	Telegraph.	
	30 „ -	Herat, instructions to Governor General of India.	Reply to Foreign Office.
	3 July -	Proofs required of authenticity of Papers sent home.	
	8 „ -	Farah. Shah's interference - - -	Reply to Foreign Office.
	9 „ -	Farah - - - - - -	- ditto.
	18 „ -	Mr. Murray's half salary.	
	18 „ -	Telegraph.	
	31 „ -	Zainu 'l Abidin's family - - -	Reply to Foreign Office.
	18 August -	Herat. Afghanistan - - - -	- ditto.
	18 „ -	Nanu Chook. Gallerman Chook -	- ditto.
	28 „ -	Dost Mohamed's proceedings.	
	10 Sept. -	Telegraph.	
	10 „ -	Telegraph.	
	13 „ -	Persian Gulf - - - - -	Reply to Foreign Office.
	24 „ -	Herat - - - - - -	- ditto.
	Received 3 Oct.	Dost Mohamed and Herat - - -	Telegram.
	14 „ -	Dost Mohamed - - - - -	Letter from India. Proposed reply.
	17 „ -	Telegraph.	
	23 „ -	Sistan - - - - - -	Reply to Foreign Office.
	25 „ -	Herat - - - - - -	- ditto.
	15 Nov. -	Mr. Stevens's claim, Panjáb Railway Company.	- diito.
	26 „ -	Afghanistan. Approving proposed instructions.	
	26 „ -	Afghanistan. Private note.	
	10 Dec. -	Cypher Telegrams - - - -	For information.

Appendix, No. 15. NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.*

1863.

	1863:		
India Office	10 Jan. -	Abdullah Khan's Pension - - -	Reply to Foreign Office.
	22 Jan. -	Dr. Dickson's claim to a medal - -	- ditto.
	6 Feb. -	Telegraph. Khanakin and Bushire.	
	7 „ -	Letter from Foreign Office to Persian Minister for Foreign Affairs. Treaty engagements.	Reply to Foreign Office.
	19 „ -	Telegraph.	
	21 „ -	Dost Mohamed. Afghanistan - -	Reply to Foreign Office.
	9 March -	Claim of Mission Treasurer against Mr. Stevens.	- ditto.
	11 „ -	Herat - - - - - - -	- ditto.
		Claim of Mission Treasurer against Mr. Stevens.	- ditto.
	28 „ -	Cypher telegrams - - - -	Suggestions respecting.
	1 April -	Telegraph.	
	2 „ -	Employment of Indian Officers in Persian service.	Reply to Foreign Office.
	18 „ -	Dost Mahomed and British Consul at Peshawar.	For information of Foreign Office.
	28 „ -	Telegraphs. Use of.	
	30 „ -	Indian Officers in Shah's Army - -	Reply to Foreign Office.
	26 May -	Telegraph.	
	3 July -	Telegraph.	
	3 „ -	Afghanistan - - - - -	Reply to Foreign Office.
	5 August -	Telegraph.	
	6 „ -	- ditto.	
	7 „ -	- ditto.	
	10 „ -	Telegraph. Cancelling Letter of August 5.	
	12 „ -	- ditto - - ditto - - ditto.	
	13 „ -	Telegraph.	
	13 „ -	- ditto.	
	13 „ -	- ditto.	
	14 „ -	Lieutenant Watson's leave of absence -	For information respecting.
	17 „ -	Telegraph.	
	22 „ -	- ditto. Mekran.	
	24 „ -	Turkuman Incursions. Dost Mahomed -	Reply to Foreign Office.
	24 „ -	British Officers in Persian Army - -	- ditto.
	26 „ -	Telegraph.	
	27 „ -	- ditto.	
	8 Sept. -	Dost Mahomed's Death. Successor -	Information for Foreign Office.
	9 „ -	British Officers in Persian Army - -	Reply to Foreign Office.
	11 „ -	Lieut. Champain appointed Director of Telegraphs.	Information to Foreign Office.
	21 „ -	Telegraph disbursements.	
	28 „ -	Turkuman Inroads - - - -	Reply to Foreign Office.
	28 „ -	Sistan - - - - - - -	- ditto.
	5 October -	Turkuman Inroads - - - -	- ditto.
	19 „ -	- ditto - - - - - - -	- ditto.
	23 „ -	Haji Husein's Claim. Indian Mutiny.	
	24 „ -	Telegraph.	
	2 Nov. -	- ditto.	
	3 „ -	Sistan - - - - - - -	Reply to Foreign Office.
	4 Dec. -	Mission Buildings at Gulahek - -	- ditto.
	4 „ -	Capt. Wyburd - - - - -	For information respecting.
	17 „ -	Ports of Guader and Chaubár, Muscat -	Reply to Foreign Office.
	18 „ -	British Minister should draw Bills on India Office and not on Bombay Government.	For approval of Foreign Office.
	22 „ -	Herat - - - - - - - -	Information for Foreign Office.

NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.* Appendix, No. 15.

1864:

India Office -	1864:		
	7 January	Telegraph.	
	11 „ -	Herat - - - - - - - -	Reply to Foreign Office.
	11 „ -	Biluchistan and Makran - - -	- ditto.
	29 „ -	Herat. Dost Mahomed's Successor -	Information for Foreign Office.
	3 February	British Agent at Isfahan. Salary -	Reply to Foreign Office.
	17 „ -	Telegraph.	
	6 April -	Little Aden - - - - - - -	Information for Foreign Office.
	7 „ -	Biluchistan and Makran - - - -	- ditto.
	22 „ -	Afghanistan. Sistan - - - -	Reply to Foreign Office.
	22 „ -	Telegraph.	
	5 May -	- ditto.	
	8 June -	Agent at Meshed. Salary - - -	Reply to Foreign Office.
	16 July -	Mr. Alison's Bills - - - -	- ditto.
	3 Sept. -	Persian Invasion of Khelat District of Panjgur.	For purport of Foreign Office Instructions to Mr. Alison.
	23 „ -	Invasion of Khelat - - - - -	Reply to Foreign Office.
	26 „ -	Telegraph.	
	13 October -	- ditto.	
	20 „ -	- ditto.	
	November	Colonel Goldsmid. Letter, &c.	
	16 December	Telegraph.	
	20 „ -	Ministerial Changes in Persia - -	Reply to Foreign Office.

1865:

India Office -	1865:		
	1 March -	Central Asia. Information - - -	Reply to Foreign Office.
	6 „ -	Value of Persian Keran - - -	- ditto.
	10 „ -	Persian Buildings at Gulahek - -	- ditto.
	10 April -	Telegrams. Payment of.	
	11 May -	Telegraph.	
	17 „ -	- ditto.	
	7 June -	- ditto.	
	18 „ -	- ditto.	
	20 „ -	Colonel Goldsmid. For introduction to Mr. Alison.	
	15 July -	Telegraph.	
	15 „ -	- ditto.	
	13 August -	Telegraph Offices. Sheraz.	
	20 October	Sistan - - - - - - - -	Reply to Foreign Office.
	18 Nov. -	Colonel Goldsmid - - - -	Information for Foreign Office.
	16 „ -	Claims of Heirs of late Haji Mahomed	Reply to Foreign Office.
	16 „ -	Mr. Lyall. Introduction - - -	- ditto.
	23 „ -	Telegraph.	
	30 „ -	- ditto.	

1866.

India Office -	1866:		
	18 January	Telegraph with India - - - -	Reply to Foreign Office.
	24 „ -	Persian Telegraph Accounts - -	- ditto.
	25 „ -	Telegraphic Convention - - -	- ditto.
	27 February	Indian Telegraph. Presents - -	- ditto.
	15 March -	Mission Treasurer. Salary - - -	- ditto.
	7 April -	Mr. Pell. Telegraph officer instructed -	- ditto.
	19 „ -	Agha Ali's House-rent claim - -	- ditto.
	14 June -	Telegraphic Convention. Presents -	- ditto.
	21 „ -	Telegraphic Convention - - -	- ditto.
	30 „ -	Proceedings of Col. Pelly in Persian Gulf	- ditto.

Appendix, No. 15.

NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.*

1866—*continued.*

	1866:		
India Office -	3 July -	Survey of Persian Districts by Engineers	Letters for Information of Foreign Office for Mr. Alison's opinion.
	13 „ -	Major Smith's Services - - -	Suggestions.
	26 „ -	Mirza Ibrahim's Services - - -	Reply to Foreign Office.
	26 „ -	Second Telegraph Wire from Julfa -	- ditto.
	2 August -	Telegraph Station in Persian Gulf -	Suggestions.
	9 „ -	Second Telegraph Wire from Julfa -	Reply to Foreign Office.
	9 „ -	Indian Telegraph. Presents - -	- ditto.
	22 „ -	Indian Telegraph. Second Wire - -	Suggestions.
	23 „ -	Charge against Mr. Pell, of Telegraph Staff.	Reply to Foreign Office.
	23 „ -	Presents to Royal Family - - -	- ditto.
	6 Sept. -	Bandar Abbas. Letter from Indian Government.	For opinion.
	6 „ -	Mekran Coast Telegraph Extension Convention.	Suggestions.
	13 „ -	Angaum. To telegraph result of negotiations to Mr. Alison.	- ditto.
	28 „ -	Persian Telegraph. Assistance for Col. Goldsmid.	Suggestions.
	18 Octobor	Indian Telegraph. Understanding respecting Biluchistan.	Reply to Foreign Office.
	6 Dec. -	Pension to Kerbelai Allah Baksh - -	- ditto.

1867.

	1867:		
India Office -	11 January	Attack by Persian Soldiers on Lieutenant Pierson.	Suggestions for opinion.
	25 „ -	Gratuity to Mirza John Ibrahim - -	Reply to Foreign Office.
	28 „ -	Attack on Lieut. Pierson. Mr. Alison to report.	- ditto.
	28 „ -	Presents for Persia. Dr. Dickson to return.	- ditto.
	4 June -	Telegraph Staff - - - - - -	- ditto.
	8 July -	Anglo-Indian direct Telegraph. Mr. Siemens.	Suggestions.
	11 „ -	Russo-Persian and Anglo-Persian Telegraph Conventions. Discrepancies.	- ditto.
	16 August -	Telegraph Station at Angaum - -	- ditto.
	22 „ -	Surveys in Persia. Grant of money.	
	30 „ -	Indian Telegraph. Persian Gulf Coast Line.	
	19 October -	Afghanistan. Russians in Central Asia -	Suggestions.
	28 Nov. -	Anglo-Persian Telegraph Convention. School of Telegraphy.	- ditto.
	5 Dec. -	Presents. Gold watch to be sent home -	Reply to Foreign Office.
	19 „ -	Telegraph to India. Instructions as to Dast Khor.	- ditto.

1868.

	1868:		
India Office -	4 January	Indian Telegraph. Instructions - -	Reply to Foreign Office.
	9 „ -	Indian Telegraph. Instructions - -	- ditto.
	15 „ -	Ghias Khan's Pension - - - -	- ditto.
	6 February	Messrs. Siemen's Telegraph Convention -	- ditto.
	19 „ -	Messrs. Siemen's Telegraph Convention and Indian Telegraph.	- ditto.
	20 „ -	Mekran Telegraph. Answer to Mr. Alison.	- ditto.
	5 March -	Mekran Telegraph. Answer to Mr. Alison.	- ditto.
	17 „ -	Bushire Mules for Abyssinia - -	- ditto.
	17 „ -	Sistan. Papers from India respecting -	- ditto.
	2 April -	Mekran Coast Telegraph. Telegram to Mr. Alison.	
	24 „ -	Ghias Khan's Pension - - - -	- ditto.

NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.* Appendix, No. 15.

1868—*continued.*

	1868:		
India Office -	19 May -	Changes in India. Telegraph Establishment.	Suggestions.
	11 June -	Mekran Coast Telegraph Convention -	Reply to Foreign Office.
	3 July -	India Telegraph Bills. Major Smith's instructions.	- ditto.
	3 „ -	Persia and Maskat. Questions pending	Suggestions.
	20 „ -	Military Instructors for Persian Government.	
	24 „ -	Persia and Maskat Questions: Opinion -	Reply to Foreign Office.
	19 Sept.	Ownership of Angaum. Col. Goldsmid's Memorandum.	- ditto.
	24 „ -	Zanzibar subject to Maskat. Bandar Abbas.	
	29 „ -	Peace in Persian Gulf. Steps for securing	Suggestions.
	30 „ -	Letter of Introduction for Persian Consul at Bombay, to Governor General of India.	Reply to Foreign Office.
	August -	Persia and Maskat. Ships for Persian Government.	Suggestions.
	6 October	Colonel Pelly's complaint. Letter from Indian Government.	- ditto.
	14 Oct. -	Right to buy Houses in Persia - -	- ditto.
	6 Nov. -	Indian Telegraph. Assistance to M. Siemens.	- ditto.
	13 „ -	Military Instructor for Persia -	- ditto.
	20 „ -	Mr. Thomson's Report on Persia. Want copies.	- ditto.
	30 Dec. -	Squadron for Persian Gulf - -	Reply to Foreign Office.
	31 „ -	Col. Pelly approved by Indian Government.	- ditto.
	31 „ -	Letter and Presents for Amir at Bokhara.	

1869.

	1869:		
India Office -	21 January	Tehran and Bushire Telegraph - -	Reply to Foreign Office.
	29 „ -	Col. Pelly's relations with Persian Government.	- ditto.
	4 February	Tehran Bushire Telegraph - - -	Suggestions.
	22 „ -	Military Officers for Persia - - -	- ditto.
	26 „ -	Col. Pelly's proceedings in Bahrein -	Reply to Foreign Office.
	5 March -	Approving Col. Pelly's proceedings -	- ditto.
	5 „ -	Military Instructors for Shah. Allowances, &c.	Suggestions.
	21 „ -	Bahrein Question. Views of India Office	Reply to Foreign Office.
	16 April -	Private. Eastern Boundary of Persia -	Letter from India.
	22 „ -	Third Wire, Tehran and Bushire Telegraph. Decision.	Reply to Foreign Office.
	27 „ -	Bahrein Question. Concurring in proposals.	- ditto.
	5 May -	Definition of Persian Frontier - -	For views of Foreign Office.
	19 „ -	Bahrein Question. Observations - -	Reply to Foreign Office.
	5 June -	Bahrein Question- - - - -	- ditto.
	7 „ -	Eastern Boundary of Persia - - -	- ditto.
	7 „ -	Bandar Abbas. Proposed reply respecting	For concurrence of Foreign Office.
	7 „ -	Persian Progress in Mekran or West Biluchistan.	Information for Foreign Office.
	18 „ -	Bahrein Question. Thanks for - -	Reply to Foreign Office.
	18 „ -	British Officers for Shah's Army - -	- ditto.
	15 July -	Persian Frontier. Letter from Governor General of India.	For early settlement of Question.
	2 August -	Eastern Frontier of Persia. Employment of Indian Officers.	
	1 Sept. -	Telegrams respecting Persia, Khelat, and Afghanistan.	For information of Foreign Office.
	2 „ -	Telegrams respecting Persia and Afghanistan.	Reply to Foreign Office.

Appendix, No. 15.

NUMBER of LETTERS from the India Office to the Foreign Office, 1860 to 1869—*continued.*

1869—*continued.*

	1869:		
India Office -	14 Sept. -	Central Asia. Letters - - - -	For information of Foreign Office.
	16 „ -	Mirza Fazlullah's Exequatur, Consul General at Bombay.	Reply to Foreign Office.
	21 „ -	Piracy at Bahrein. Telegram from Indian Government.	For information of Foreign Office.
	22 „ -	Capture of Bandar Abbas - - -	Reply to Foreign Office.
	5 October -	Encroachment of Persia on Khelat -	For information.
	6 „ -	Col. Woolridge's wish to serve in Persia -	Reply to Foreign Office.
	6 „ -	Ex-Amir of Affghanistan. Intrigues -	For information.
	7 „ -	Bandar Abbas captured by Persian Government. Telegram.	- ditto.
	8 „ -	Persia and Mekran - - - -	For opinion of Foreign Office.
	11 „ -	Persia and Mekran. Sending Inclosures	For information.
	12 „ -	Persia and Mekran. Letter from Indian Government.	Reply to Foreign Office.
	12 „ -	Shere Ali and Afghan Refugees. Steps taken.	- ditto.
	12 „ -	Position of British Agent at Shiraz -	- ditto.
	28 „ -	British Agent at Shiraz. Hasan Ali Khan	- ditto.
	28 „ -	Persia and Khelat. Communication from Indian Government.	For information.
	1 Dec. -	Ibrahim Khan at Mekran. Approve M. Thomson.	Reply to Foreign Office.
	17 „ -	Foreign Office Agent at Bushire - -	- ditto.
	17 „ -	Col. Pelly. Central Asia - - -	- ditto.
	18 „ -	Assault on Seamen of Dalhousie. Concurrence.	- ditto.
	18 „ -	New Residency at Bushire - - -	- ditto.
	22 „ -	Bahrein, South-east Boundary of Persia. Conduct of Political Agent.	For information.
	23 „ -	East Frontier of Persia. Policy to be adopted.	- ditto.
	31 „ -	Persia and Kedj, relations. Telegram from India.	

Between 1 January 1860 and 1 January 1870, 278 letters were received at the Foreign Office from the India Office relating to Persia.

In 1860	- - - - - - -	24
1861	- - - - - - -	21
1862	- - - - - - -	28
1863	- - - - - - -	50
1864	- - - - - - -	21
1865	- - - - - - -	18
1866	- - - - - - -	26
1867	- - - - - - -	14
1868	- - - - - - -	30
1869	- - - - - - -	46
		10) 278

being an average of 27⅘ (say, 28) in each year.

Of these 278 letters 91 related to telegraph questions, and by far the greater number of the remainder (187) were replies to letters from this office. Some few contained copies of papers for the "information" of the Foreign Office on which no opinion was asked; others suggestions; others related to questions of finance, &c., and, in a few instances, proposed instructions from the India Office to the Bombay Government were submitted for the approval of the Foreign Office, relative to questions on which correspondence had already passed between the two offices.

A short abstract of the letters is annexed, from which it will be seen that out of 278, probably not more than 8 papers in the 10 years can be said to have contained "references" to this office from the India Office on political matters in which the interests of India were concerned. These are marked with a cross.

Foreign Office, 25 May 1870.

Appendix, No. 16.

PAPER handed in by Mr. *Greenwood.*

RETURN of the Amounts Paid for Reports to the Foreign Office by the Law Officers of the Crown, for the Years 1864 to 1869 respectively.

Year.	Queen's Advocate.	Clerk.	Attorney General.	Clerk.	Solicitor General.	Clerk.	Total.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1864 -	3,243 11 –	393 10 –	2,357 18 –	369 – –	2,357 18 –	369 – –	9,090 17 –
1865 -	2,811 18 –	326 – –	1,484 4 –	216 – –	1,484 4 –	216 – –	6,538 6 –
1866 -	2,092 13 –	244 10 –	1,065 17 –	162 – –	1,065 17 –	162 – –	4,792 17 –
1867 -	2,142 – –	251 – –	1,138 13 –	158 10 –	1,138 13 –	158 10 –	4,987 6 –
1868 -	2,078 10 –	250 – –	1,021 2 –	142 10 –	1,021 2 –	142 10 –	4,655 14 –
1869 -	1,619 2 –	204 – –	1,109 8 –	173 10 –	1,109 8 –	173 10 –	4,388 18 –

Appendix, No. 17.

Appendix, No. 17.

PAPERS handed in by Mr. *Morier*, C.B.

MEMORANDUM put in, in reply to the Chairman's question as to whether I had considered the causes of the block in the service, and had any suggestion to make as to the means by which that block might be removed.

THE so called "block" in the Diplomatic Service must be considered from two points of view:

1. As resulting from permanent defects in the constitution of the service.
2. As arising from temporary and accidental causes.

I. Under the first head the evil can be traced to the attempt to apply a strictly professional system to a service to which, from its being in the first place numerically too small, and in the second place from the posts which require the higher qualifications being out of all proportion to the posts requiring mere routine qualifications, such a system is inapplicable (*e. g.* a system of seniority can be applied to the naval service, but could hardly be applied to an individual man-of-war). Out of about 122 persons composing the diplomatic service, some 64 are either heads of missions (or in some way have independent posts), or are first secretaries of legation, *i. e.* persons who at any moment can be placed in the position of heads of missions. Any one of these 64 individuals, may be called upon by his tact, knowledge, and presence of mind, to do invaluable service to his country, or may, by his deficiency in those qualities, run the risk of plunging the country into unforeseen difficulties.

A remedy very generally recommended for getting rid of this defect is, altogether to unprofessionalise the service, *i. e.*, to appoint eminent men who have had no diplomatic training to the posts of envoys, and to assist them by an inferior class of officials trained abroad, but who are not to rise to the higher posts of the service.

The objection to such a system appears to me to be, that although, for the reasons above given, diplomacy ought not to be strictly considered as a profession, it is yet a service which more than any other requires a very high kind of professional training. To translate the political life of a foreign nation into the political language of one's own country is one of the highest and most difficult of the political arts, and an intellectually superior class of men cannot be expected to devote themselves to the acquisition of this art, unless they have the prospect afforded them of rising to the highest posts.

On the other hand it is not only necessary to leave the Foreign Secretary free to select the agents whom he requires to carry out his policy, which necessarily implies the employment of outsiders, but it appears to me very desirable that outsiders should in part at least be employed. The most efficient means for developing international knowledge and international sympathies in the quarters where this knowledge and these sympathies should exist, would be that Members of either House of Parliament should serve for a few years abroad and then return to Parliament.

It is, however, clear that the combination of outsiders, with a seniority system, constitutes a very real injustice to the non-outsiders. As regards the individuals themselves this may be a matter of little moment. A great public good may be cheaply bought by a good deal of private discontent. But the injustice is bad on public grounds, because such a system must necessarily drive the good men out of the service, or so entirely paralyse them as to prevent their becoming useful public servants.

Such is the problem to be solved. I do not pretend to solve it, but I think it possible to point out where the evil lies. Justice or injustice in the matter of professional advancement can only be predicated where a contract exists.

Before the recommendations of the Committee of 1861, the number of persons with whom the State had entered into contract was comparatively small. They were the heads

heads of missions and the secretaries (now called first secretaries) of legation. Neither with the unpaid nor the paid attachés was there any manner of contract. The latter received pay in the form of a gratuity, but had no commission. By the action of the Committee, the whole service was made one of contract, for though the unpaid attachés now have no commission, they engage themselves under the distinct pledge that at the end of four years they shall receive a commission and be paid.

In my opinion, any radical reform of the service must be based on reducing the numbers of persons with whom the State concludes contracts to a minimum, and then strictly fulfilling the contract.

If there were a "tabula rasa" to start from I would suggest some such plan as the following, not as the best possible plan, or one that I have carefully elaborated, but as one which would circumvent the principal difficulties.

I would have three classes of diplomatic servants.

A first class, consisting of Heads of Missions, not necessarily professional, though largely, possibly wholly, consisting of professionally trained persons.

A second class, consisting of Secretaries, wholly professional.

A third class, consisting of unpaid attachés, from whom the second class should be selected by a very severe test examination. I subjoin a rough sketch of the kind of examination I would propose.

All unpaid attachés would have the right to present themselves yearly or biennially for examination. If they passed the examination they would have the right to be selected for the vacant secretaryships.

The State having undertaken no contract, either direct or implied, with these unpaid attachés, no injustice would be committed if some years should elapse before a vacancy occurred. A fixed sum, however, of 3,000 *l.* or 4,000 *l.* a year might be placed at the disposal of the Secretary of State wherewith to pay for the services of such exceptionally able men as were waiting for a vacancy. Besides, a man who had passed such an examination as I propose would be a very eligible candidate for employment, either by the State or in a private capacity.

The class of secretaries would be *highly paid*, so that the place would be desirable for its own sake, and *irrespectively of ultimate promotion to the first class.* The State would be under no contract to raise the secretary to a mission, because all idea of seniority would be removed, but the individual would know that the post of envoy would be the natural reward of superior merit. I would propose a scale, commencing with 500 *l.*, and rising in the course of 20 or 25 years to 1,500 *l.*, irrespectively of the post at which the individual was employed.

The Foreign Secretary would then be able to appoint either from amongst the secretaries, or from amongst outsiders, the persons he thought most fit, and in the case of outsiders, he would always be able to supply first-rate professional assistance.

II. As regards the momentary causes of the block, some means should be found of retaining the good men and getting rid of the bad men.

This might be done, either by the Foreign Secretary selecting such men in the three lower classes of the profession as had exceptionally distinguished themselves, and bracketing them at the head of the second secretaries as first for promotion to the rank of first secretary, or by a high test examination mostly in subjects chosen by the candidates themselves, and connected with countries in which the individuals have been employed, but which should include a real knowledge of international law and political economy, to which all unpaid attachés and second and third secretaries might voluntarily offer themselves within the next two years.

Those who passed it would be placed at the head of the list of second secretaries, and receive additional salary, till they became first secretaries. Those who did not pass it, or did not present themselves would have the option of remaining where they were, or leaving the service with a fair compensation sum. Perhaps both systems might be combined, *i.e.* selection by the Foreign Secretary and by examination.

In the next place, I would grant larger pensions than they would be otherwise entitled to, to some of the older servants in the various categories.

Lastly, if any missions are abolished, which, however, I altogether deprecate, I would not abolish the maltogether, but reduce them to chargé d'affairéships for secretaries of embassy, which would at once relieve the block where it is most felt.

Appendix, No. 17.

APPENDIX.

THE foundation of a diplomatic education should be a study of the civil law:—

1. Because international law if studied historically, as it ought to be, in the original writings of Grotius and the founders of the science, cannot be understood except in connection with the civil law.
2. Because it is the one element of culture common to all Latin and Teutonic nations except the English.
3. Because it is a matter of the greatest importance, for the purpose of mutual intercourse and negotiation, that the parties holding the intercourse and negotiating should have a body of thought and formulas in common; I arrange, therefore, my scheme of diplomatic study as follows:—

1. Civil law.
2. International law; history of it.
3. Commercial law.
4. History of treaties.
5. Modern history generally. A detailed knowledge of it since the Treaties of Westphalia.
6. English constitutional history and law.
7. Political economy.
8. A thorough knowledge of French, particularly as to writing.
9. One other foreign language.

The examination should consist of an essay in English, in connection with civil and international law. The subject should be given out a year before, and be of a kind requiring independent and learned research.

At the examination itself, the candidate should have to write a French essay on a kindred subject.

He should also some days previously give notice of the particular points in connection with civil and international law and modern history, on which he desires to be examined.

The examination should be carried on upon the Oxford system of lumping into classes (say, two classes) all the men who come up to a certain standard, and not upon the Cambridge system of classing the individual examinees according to merit.

The object should be not so much to test the amount of reading got through by the candidates, as to ascertain the amount and kind of knowledge actually assimilated, and the intellectual power brought to bear upon this knowledge.

The English essays written by the successful candidates should be made public by being presented to Parliament. This would be an effective check to the test standard imperceptibly falling to a low level.

In making civil law the basis of diplomatic education, my motives, in addition to those above given are, that I consider that the judicial powers of the mind require to be highly developed in a diplomatist. A study of law, therefore, appears to me indispensable, so far as it can be obtained without suffocating the mind in legal formalities, and for this purpose Roman law is peculiarly adapted. In the next place it is the diplomatic agents of the various countries of the world who, by means of precedents, are making international law, and they ought to have a scientific knowledge of the *fons et origo* of their science.

I have for many years advocated the making of the civil law a *sine quâ non* of diplomatic education, without being aware of this having been done by others.

I have, however, lately learnt from Mr. Grant Duff, that he has been advocating this reform on the very same grounds as myself, and that the great name of Professor Maine is enlisted in the same cause. Having come to my conclusions *à posteriori*, and by the negative test of perceiving how much my action as a diplomatist has been paralysed by an ignorance of civil law, it is a great corroboration of the soundness of the principle to have it advocated *à priori* by a man like Professor Maine, on the same grounds as mine. I subjoin an extract from a speech by Mr. Grant Duff, which contains his own testimony and that of Professor Maine.

EXTRACT from Mr. *Grant Duff*'s Speech in the House of Commons, 19th June 1860.

THERE is another point connected with the education of our diplomatists to which I wish to call attention. By the recent regulations of the Foreign Office, a young man who is about to pass from the position of an unpaid to that of a paid *attaché* is required to prove his acquaintance with "Wheaton's Elements of International Law," and "History of International Law." Now Mr. Wheaton's books are very respectable, and very useful books, but they are hardly sufficient to be the beginning, middle, and end of a diplomatist's training in international law. I confess, sir, that it appears to me quite monstrous

monstrous when we consider how enormously the whole modes of thought of the statesmen and publicists of continental Europe are coloured by the jurisprudence of Rome that some security should not be taken, that at least the outlines of that magnificent system, and especially its terminology should be mastered by the young diplomatist. I am sure all honourable gentlemen whose attention has been turned to this subject will agree with me; but in case I seem to some to exaggerate the importance of this branch of study, I may be permitted, perhaps, to read a few lines by the late eminent Professor of Civil Law at Cambridge, Dr. Maine, which bear directly upon the subject: "Nor are these remarks "answered by urging that comparative ignorance of international law is of little conse- "quence so long as the parties to international discussions completely understand each other; "or, as it might be put, that Roman law may be important to the closet study of the law of "nations, but is unessential as regards diplomacy. There cannot be a doubt that our success "in negotiation is sometimes perceptibly affected by our neglect of Roman law; for, from "this cause we and the public, or negotiators from other countries, constantly misunder- "stand each other. It is not rarely that we refuse respect or attention to diplomatic com- "munications, as wide of the point and full of verbiage or conceits, when in fact they owe "those imaginary imperfections simply to the juristical point of view from which they have "been conceived and written. And, on the other hand, State Papers of English origin, "which, to an Englishman's mind ought, from their strong sense and directness to carry "all before them, will often make but an inconsiderable impression on the recipient, from "their not falling in with the course of thought which he insensibly pursues when dealing "with a question of public law. In truth the technicalities of Roman law are as really, "though not so visibly, mixed up with questions of diplomacy as are the technicalities of "special pleading with points of the English common law. So long as they cannot be "disentangled, English influence suffers obvious disadvantage through the imperfect com- "munion of thought. It is undesirable that there should not be among the English "public a sensible fraction which can completely decipher the documents of international "transactions, but it is more than undesirable that incapacity should extend to our states- "men and diplomatists. Whether Roman law be useful or not to English lawyers, it is "a downright absurdity that on the theatre of international affairs, England should "appear by delegates unequipped with the species of knowledge which furnishes the "medium of international communication to the other performers on the scene." These, sir, are weighty words, and I do trust that the Government, whether they do or not grant the Committee, will at least inquire whether they ought not to be acted on, for sure am I that only a mere fraction of our existing diplomatists have ever read a page of the Institutes of Gaius or Justinian.

I N D E X

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

DIPLOMATIC AND CONSULAR SERVICES.

Ordered, by The House of Commons, *to be Printed*,
25 *July* 1870.

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ATTACHES:

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2. *Employment in the Foreign Office.*
3. *Former System of Unpaid Attachés.*
4. *Suggestions for an Amended System of Appointment.*

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2. *Cost of the Mission.*
3. *Residence of Mr. Christie, when Minister, away from Rio.*
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2. *Evidence opposed to the foregoing Proposition.*

1. *Evidence in favour of the Employment of Clerks at Missions, for Copying and other Purposes:*

Proposition involving a large employment of clerks in the service, *Christie* 2656 *et seq.* ——Class of persons desirable for the proposed clerkships; conclusion that confidential work may be safely entrusted to them, *ib.* 2661, 2662. 2673, 2674. 2679——Excellent clerk at Buenos Ayres, who was appointed by witness some years ago; witness has not heard of his recent dismissal, *ib.* 2662-2666——The clerks should not look for promotion in the service, *ib.* 2673, 2674——Advantage of clerks as being permanent officers, and as being readily amenable to discipline, *ib.* 2678, 2679.

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2. *Evidence opposed to the foregoing Proposition:*

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Coburg. Special circumstances which make it desirable to keep up the Coburg mission; limited cost incurred, *Hammond* 164——Usefulness of a representative at Coburg, *Earl of Malmesbury* 771–773. 776-778——Non-removal of the minister at Coburg adverted to and explained, *ib.* 780–783——Approval of the maintenance of the mission at Coburg for family reasons, *Earl of Clarendon* 3937–3941.

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Competition (Attachéships):

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COMPETITION (ATTACHÉSHIPS)—continued.

——Decided objection to attachéships being thrown open to public competition, *Sir H. G. Elliot* 1003, 1004. 1117–1119——Further disapproval of competition for attachéships, it being necessary to appoint men of good social standing and of private means, *Earl of Malmesbury* 1181–1183. 1222–1225.

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CONSTANTINOPLE:

1. *Salary of the Ambassador, and Cost of the Embassy.*
2. *Extraordinary Expenses.*
3. *Question of Reduction of Staff.*
4. *Dragomans.*
5. *Embassy House.*
6. *Objection to frequent Removal of the Ambassador.*

1. *Salary of the Ambassador, and Cost of the Embassy:*

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2. *Extraordinary Expenses:*

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3. *Question of Reduction of Staff:*

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Uselessness of the oriental secretary, *Sir H. L. Bulwer* 5168, 5199——Very large consular business to be attended to by the ambassador, *ib.* 5226–5528.

4. *Dragomans:*

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5. *Embassy House:*

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6. *Objection to frequent Removal of the Ambassador:*

Approval of the ambassador at Constantinople remaining there for a long time, frequent removal being very undesirable, *Sir H. D. Wolff*, 4253–4255.

CONSULAR SERVICE:

1. *Question of Amalgamation with the Diplomatic Service.*
2. *Question of the Appointment of Diplomatic Officers to Consular Posts.*
3. *Question of Separation between Political and Commercial Consulships.*
4. *Necessity for a Revision of the Service.*
5. *Suggestion of Mr. Christie for an Amendment of the Consular System.*
6. *Employment of Consuls otherwise than in the Public Service.*
7. *Promotion.*
8. *Removal from one Post to another.*
9. *Fees.*
10. *Reduction of Expenditure.*
11. *Administration of Estates of British Subjects.*
12. *Statistics of Expenditure.*
13. *Inability of the Committee to undertake the Consular Inquiry until next Session.*

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CONSULAR SERVICE—continued.

1. *Question of Amalgamation with the Diplomatic Service:*

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Difficulties of an amalgamation of the consular and diplomatic services, *Earl of Derby* 2288——Belief that the staff at the chief embassies and missions is now sufficiently occupied without being able to undertake consular work, *Earl of Clarendon* 3870, 3871.

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Decided appproval of an amalgamation of the consular and diplomatic services, *Labouchere* 4746-4748——Proposition submitted in detail for an amalgamation of the diplomatic, consular, and Foreign Office services with suggestions as to the staff to be employed, and as to the examinations, salaries, promotion, &c., *ib.* 4748.

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2. *Question of Appointment of Diplomatic Officers to Consular Posts:*

Obstacle to the employment of junior diplomatic servants at Warsaw and other consular posts, *Hammond* 225, 226——Natural dissatisfaction in the consular body if diplomatic servants were appointed to the large commercial consulates, *ib.* 258–264.

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Power at present to appoint diplomatic officers to consular posts; approval of such appointments, efficiency being duly considered, *Earl of Derby* 2287——Room for much reduction in the consular service, so that junior diplomatic officers should not be drafted into it, *Christie* 3086——Objection to junior diplomatic officers being drafted into the consular service, *Earl of Clarendon* 3963, 3964.

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3. *Question of Separation between Political and Commercial Consularships:*

Objection to any attempt at separation between commercial and political consuls, with a view to the former being placed under the Board of Trade, and reporting directly to the Board, *Sir H. G. Elliot* 1283–1287——Doubt as to the expediency of separating shipping consuls from political consuls, and of placing the former under the Board of Trade, *Earl of Derby* 2495–2498——Belief as to the practical facility of separating the political from the non-political correspondence of consuls; question, however, as to the expediency of such separation, *ib.* 2603, 2604.

4. *Necessity for a Revision of the Service:*

Expediency of a very careful revision of the consular service, there being consular posts which might be abolished, whilst there are other places where consuls should be appointed, *Earl of Malmesbury* 730, 731.

5. *Suggestions*

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5. *Suggestions by Mr. Christie for an Amendment of the Consular System:*

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Advantage of more power in the ministers abroad to recommend persons for consuls, and to suggest the promotion of vice-consuls, *Christie* 3029——Conclusion that commercial interests will not suffer by being placed under missions in charge of political officers, *ib.* 3030-3033——Necessity of a distinct consular office at distant ports from the capital, *ib.* 3038.

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7. *Promotion:*

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8. *Removal from one post to another:*

Evil of the removal of consuls from countries, the language and people of which they are well experienced with, to countries of which they know nothing, *Earl of Derby* 2534. 2543. 2578.

9. *Fees:*

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10. *Reduction of Expenditure:*

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11. *Administration of Estates of British Subjects:*

Absence of any right in British consuls to undertake the administration of the estates of British subjects dying abroad, *Greenwood* 3288-3290.

12. *Statistics of Expenditure:*

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13. *Inability of the Committee to undertake the Consular Inquiry until next Session:*

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Conyngham, Mr. Denial that the Foreign Office accounts were in a very confused and unsatisfactory state when handed over to witness as successor to Mr. Conyngham, *Alston* 1908-1910——Exceedingly efficient services rendered by Mr. Conyngham, during his long tenure of the office of chief clerk, *ib.* 2012-2016.

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Opinion that copying machines might be largely used at missions and consulates for local and subsidiary correspondence, *Christie* 2963——Advantage of copying machines further adverted to; that is, chiefly for consular and local correspondence, *ib.* 3171-3175.

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Danube Navigation Commission. Information relative to the Danube Navigation Commission, instituted by the Foreign Office, and its very valuable operation, *Hammond* 1775-1778.

Darmstadt. Exceptional reasons for keeping a representative at Darmstadt, the allowance being only 700*l.* a year, *Hammond* 166 —— Special ground upon which the missons at Darmstadt and Coburg are retained; valuable reports received from the former mission, *Earl of Derby* 2424-2426. 2467-2472——Valuable information likely to be obtained from the Darmstadt mission, *Earl of Clarendon* 3940.

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Varied and onerous duties devolving upon witness, his time being fully occupied, *Morier* 4276-4278——There are about eighty or ninety English residents, or rather the congregation consists of this number, *ib.* 4289, 4290——Stuttgardt is now the nearest place having a diplomatic representative, *ib.* 4290, 4291——Large increase in the cost of living at Darmstadt, *ib.* 4296.

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Further reference to the nominal position of chargé d'affaires filled by witness at Darmstadt, his salary of 700*l.* a year being very inadequate, *Morier* 4574–4584.

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Debts (*Diplomatic and Consular Officers*). Degree of immunity enjoyed by diplomatic and consular officers in regard to debt; very rare complaints on this score, *Hammond* 1723–1728——Explanations as to the course pursued with reference to debts contracted by the representative of the Shah of Persia in England; some debts contracted by our late consul in Persia are in quite a different category, *ib.* 1872–1875.

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EXAMINATIONS (DIPLOMATIC SERVICE):

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2. *Effect of the Examinations upon the Efficiency of the Service.*
3. *Number of Rejections.*
4. *Suggestions for an Amendment of the present System.*
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4. *Question of Interchange of Employment between the Foreign Office and the Diplomatic Service.*
5. *Question of Employment of Foreign Office Clerks at Missions Abroad, concurrently with a Reduction of the Mission Staff.*
6. *Changes suggested in the Management and Administration of the Department.*
7. *Question of Employment of Copying Clerks.*
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2. *Practice of Nominating Young Men of Good Social Position and of Private Means; Defence of this Practice.*
3. *Extent to which the Aristocracy are Represented.*
4. *Limited Pressure for Nominations.*
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1. *Nomination for the Service by the Secretary of State for Foreign Affairs; Expediency of his Responsibility in the Matter:*

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1. Causes and Character of the Stagnation or Block as regards Promotion; consequent Dissatisfaction in the Service.
2. Relief by restricting the Appointments in the Junior Grades.
3. Relief by appointing Secretaries and Attachés to Consular Posts.
4. Relief by appointment to other Branches of the Public Service.
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1. Responsibility of the Foreign Secretary; Importance of his complete Responsibility in the Matter.
2. Explanation and Approval of the System of Promotion by Seniority, subject to Exceptions.
3. Suggestions for a strict Adherence to Seniority up to the Grade of First Secretary.

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7. Question of the Appointment of Outsiders.
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I. *As to the Block in the Service:*

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1. *Explanation and Approval generally of the practice of frequent Removal from Post to Post:*

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1. *Regulations as to Reports by Secretaries of Legation; great Value attached to these Reports:*

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Impolicy of going very far in the way of reduction of small missions, *Sir H. G. Elliot* 1389——Grounds for objecting to a withdrawal of the missions in Switzerland, Sweden, and Denmark, *Earl of Derby* 2432–2435——Advantage of small missions for the employment of the less able men, *Hon. T. J. H. Thurlow* 3612. 3844——Witness would not re-establish any that have been discontinued, *ib.* 3844——Advantage of small missions as nurseries for young diplomatists, *Earl of Clarendon* 3931.

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2. *Evidence to a contrary purport.*
3. *Suggestions for a re-constitution of the Staff:*
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1. *Evidence to the effect that there is no room for reduction of Staff.*

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3. *Suggestions for a re-constitution of the Staff:*

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